

Town of Moncks Corner

ZONING ORDINANCE

**ZONING ORDINANCE
MONCK'S CORNER, SOUTH CAROLINA**

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**ZONING ORDINANCE
MONCK'S CORNER, SOUTH CAROLINA**

PREAMBLE

WHEREAS, the Moncks Corner Planning Commission has prepared a revised zoning ordinance for Moncks Corner and recommended it be adopted by the Mayor and Council; and

WHEREAS, the required public hearing was duly advertised and held on FEBRUARY 15, 1994; and

WHEREAS, the Mayor and Council finds adoption of this ordinance to be in the public interest for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare; and

WHEREAS, the "Comprehensive Plan, Moncks Corner, 1992" containing the prerequisite Land Use Element required by law was adopted by the Mayor and Council on FEB 15, 1994;

NOW THEREFORE be it ordained as follows:

**ARTICLE ONE
AUTHORITY, ENACTMENT, AND JURISDICTION**

SECTION 1-1 - AUTHORITY

This Ordinance is adopted under authority of the "South Carolina Local Government Comprehensive Planning Act of 1992," Act _____ of the 1992 General Assembly.

SECTION 1-2 - PURPOSES

The purposes of this ordinance include but are not limited to:

- (1) to provide for adequate light, air, and open space;
- (2) to prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- (3) to facilitate the creation of a convenient, attractive, and harmonious community;
- (4) to protect and preserve scenic, historic, or ecologically sensitive areas;
- (5) to facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks, and other recreational facilities,

- affordable housing, disaster evacuation, and other public services and requirements;
- (6) to secure safety from fire, flood, and other dangers; and
 - (7) to guide the use of land in such a way as to promote the Comprehensive Plan.

SECTION 1-3 - TITLE

This ordinance shall be known and may be cited as the "Moncks Corner Zoning Ordinance, 1992."

SECTION 1-4 - JURISDICTION

The regulations set forth herein shall apply to all land and improvements thereon within the city limits of Moncks Corner, South Carolina.

ARTICLE TWO

DEFINITIONS AND INTERPRETATIONS OF WORDS AND PHRASES

SECTION 2-1 - INTERPRETATION OF CERTAIN WORDS AND PHRASES

1. **Words to Have Customary Meanings.** The words and phrases used in this ordinance shall have their customary meanings, or as defined in a standard dictionary, except for the specific words and phrases as defined below.
2. **Tense.** The present tense includes the future tense.
3. **Number.** The singular number includes the plural number and the plural number includes the singular number.
4. **Person.** The word "person" includes a firm, association, partnership, trust, company, corporation, or any other entity usually defined in legal usage as a person.
5. **Shall and May.** The word "shall" is mandatory, the word "may" is permissive.
6. **Used or Occupied.** The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied."
7. **Lot.** The word "lot" includes the words "plot or parcel."
8. **Structure.** The word "structure" includes the word "building."

ADD TO SECTION 2-2 THE FOLLOWING DEFINITIONS:

- JUNK. Shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.
- AUTOMOBILE GRAVEYARD. Shall mean any establishment which is maintained or used for storing, buying, or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.
- JUNKYARD. Shall mean any establishment which is maintained or used for storing, buying or selling junk. The term shall include garbage dumps, sanitary fills and scrap processors.
- SCRAP PROCESSOR. Shall mean any person, firm or corporation engaged in the business of buying scrap iron, aluminum, steel and/or other metals for the specific purpose of processing and reselling the same in the scrap or processed metals market. The term shall include recycling activities.

9. Interpretation of "contiguous" as applied to lots or districts. The word "contiguous as applied to lots or districts shall be interpreted as meaning "sharing a common boundary of 10 or more feet in length."

10. Interpretation of "on the premises of". The phrase "on the premises of," as applied to accessory uses or structures shall be interpreted to mean "on the same lot."

SECTION 2-2 - DEFINITIONS

1. Accessory Building or Use. An accessory building or use is: (a) subordinate to and serves a principal building or principal use; (b) subordinate in area, extent, or purpose to the principal building or principal use served; (c) designed for the comfort, convenience or necessity of occupants of the principal use served; and (d) located on the same lot as the principal building or principal use served, with the exception of such accessory off-street facilities as are permitted to locate elsewhere than on the same lot with building or use served. Accessory uses shall include, but not be limited to: barns, sheds, home tennis courts, swimming pools, boat houses, docks, automobile garages, decks, patios, and private recreation areas.

2. Alley. A minor right-of-way used or intended to be used primarily for vehicular service access to the rear or side of properties otherwise abutting a street.

3. Antenna. Any device for radiating or receiving electromagnetic radiation. This definition shall specifically include, but is not limited to, all radio, television, microwave, and satellite dish antennas.

4. Apartment. A part of a building consisting of a room or rooms intended, designed, or used as residence by an individual or family.

5. Boarding House. (See Rooming House definition).

6. Buffer or Buffer Yard. A landscaped and/or fenced area intended to physically separate unlike uses and screen light, noise, and visual intrusion onto adjacent lots.

7. Building. Any structure having a roof supported by columns or walls and which is designed for shelter, support or enclosure of persons, animals or property of any kind.

8. Club. An incorporated or unincorporated association for civic, social, cultural, religious, literary, political, or like activities, operated for the benefit of its members and not open to the general public.

9. Community Residential Care Facility. A "community residential care facility" includes any institution, place, building, or agency providing for a period exceeding twenty-four consecutive hours accommodation, board, and a degree of personal assistance in feeding,

dressing, or other essential daily living activities to two or more individuals not related to the administrator or owner of the facility within the third degree of consanguinity. These individuals, by reason of age, or physical or mental infirmity are unable to care sufficiently or properly for themselves or manage their own affairs but do not require the daily services of a registered or licensed practical nurse. A community residential care facility includes any chemical abuse residential treatment facility such as a half-way house and other facilities providing inpatient or detoxification services.

10. Day Care. The care, supervision or guidance of a person or persons, unaccompanied by the parent, guardian or custodian, on a regular basis, for periods of less than twenty-four hours per day in a place other than the person or persons' own home or homes.

11. Day Care Facility Any state licensed, registered or approved facility which provides care, supervision or guidance for any person who is not related by blood, marriage or adoption to the owner or operator of such a facility whether or not the facility is operated for profit and whether or not the facility makes a charge for services offered by it. This definition includes, but is not limited to day nurseries, nursery schools, kindergartens, day care centers, group day care homes and family day care homes. The term does not include:

- a. any education facility, whether private or public, which operates solely for educational purposes in grades one or above;
- b. facilities operated in connection with a shopping center, industrial or office building or service or other facility, where the same children are cared for while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and immediately available;
- c. summer resident or day camps;
- d. Bible schools normally conducted during vacation periods;

12. Dormitory. A building or part of a building operated by an academic institution containing a room or rooms forming one (1) or more habitable units which are used or intended to be used by residents of the institution for living and sleeping, but not for cooking or eating purposes.

13. Drinking Place. An establishment engaged in the retail sale of drinks, such as beer, ale or wine for consumption on premises.

14. Dwelling. Any building designed, occupied or intended for human occupancy not to include hotel, motel, rooming house, hospital or other accommodation used more or less for transient occupancy.

15. Dwelling Unit. Any dwelling designed, occupied or intended for occupancy by a single family unit.
16. Dwelling, Single Family Detached. A building containing not more than one (1) dwelling unit, not physically attached to any other principal structure, and specially excluding mobile homes.
17. Dwelling, Single Family Attached. A building designed for and occupied exclusively as a residence by one family, being attached by means of a common dividing side wall or walls to one or more buildings likewise designed for and occupied as a residence for one family. A single dwelling unit occupies each structure from ground to roof and independent access is available for each unit from the outside. Such attached one-family dwellings are commonly referred to as "town," "patio," "common zero lot line," or "cluster" houses.
18. Dwelling, Townhouse. One of a series of three or more attached one family dwelling units on separate lots which (a) may or may not have a common roof; (b) share a common exterior wall; (c) are separated from each other by a fire resistive party wall portions extending at least from the lowest floor level to the roof.
19. Dwelling, Two Family Detached. A building, commonly known as a duplex, containing no more nor no less than two (2) dwelling units, not physically attached to any other principal structure.
20. Dwelling, Multi-Family. A building containing three (3) or more dwelling units, with each unit having a common structural wall with another dwelling unit. The term "multi-family dwelling" shall be understood to include apartments, tenements, condominiums, cooperatives, and similar types of structures.
21. Family. An individual; or two or more persons related by blood or marriage living together; or a group of individuals, of not more than (4) persons, not related by blood or marriage but living together as a single housekeeping unit.
22. Flood. A temporary rise of water level in lakes, streams, natural drainage courses, artificial drainage courses, or other waterways that result in inundation of areas not ordinarily covered by water.
23. Floodplain. Those areas subject to periodic inundation by large floods which occur with calculable flood frequency and subject to flooding which may reasonably be expected to cause damage or hazard or damage sufficient to justify protection therefrom. The boundaries of such areas are generally lateral to the boundaries of floodway areas or to the drainage course along which they are located.

24. Floodway. That cross-sectional area of the flood plain which is necessary for hydraulic conveyance and discharge of the regulatory flood and within which hydraulic velocities are such that significant hazard to structures or other properties exists.
25. Flood Frequency. The average length of time between flood occurrence, statistically determined, for which it is expected that a specific flood level will be equaled or exceeded.
26. Flood, Regulatory. A flood which is representative of large floods known to have occurred generally in the area or reasonably characteristic of floods which may be expected to occur, having a specified flood frequency, and which may reasonably be expected to cause damage or hazard of damage sufficient to justify protection therefrom.
27. Regulatory Flood Protection Elevation. The elevation of the regulatory flood at any point, which may vary from place to place depending on topography, anticipated hydraulic conveyance capacity, encroachment into areas subject to flood, and other factors.
28. Gross Floor Area. The total horizontal area of all floors of a building, including exterior balconies and mezzanines, measured from the interior faces of the exterior walls of a building.
29. Group Commercial or Industrial Developments. A single lot containing one or more buildings used for commercial or industrial purposes which individually or collectively contain a gross floor area of 50,000 square feet or more.
30. Group Housing Development. Two or more separate dwellings or three (3) or more dwelling units located on a single lot. Group housing developments include triplexes, quadruplexes, townhouses, apartments, and other similar structures.
31. Home Occupation. An occupation, profession, or trade customarily, and commonly, carried out by an occupant in a dwelling unit as a secondary use which is clearly incidental and subordinate to the residential character of the dwelling unit.
32. Hotel. A building or part thereof, in which sleeping accommodations are offered to the public, in which there is a public room for the convenience of the guests. Access to the sleeping rooms shall be through an inside lobby or office.
- 32a. Hotel; Bed and Breakfast. Any owner occupied building or portion thereof offering transient lodging accommodations and breakfast to a unit consisting of not more than three (3) rooms where rent is paid.
- 32b. Hotel, Suite. Any commercially owned and operated facility or portion thereof offering transient lodging accommodations. The units are specifically designed to provide complete cooking and eating facilities. A complimentary meal may or may not be furnished as part of the rental agreement.

33. Junk, Salvage, Scrap, or Wrecking Yards. Any use involving storage or processing of inoperable, unused, dismantled, or wrecked vehicles, equipment, or machinery or the storage or processing of scrap metal, waste paper, rags, food processing wastes, construction wastes, industrial wastes, secondhand building materials, or other scrap, salvage, waste, or junk materials.
34. Lot. An area of land clearly defined by plat or by metes and bounds description duly recorded with the Register of Mesne Conveyances of Berkeley County.
35. Lot Depth. The distance from the street frontage to the lot line opposite the street frontage, determined by the measurement from the center of the street frontage to the opposite property line.
36. Lot, Frontage. The front of an interior lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage and yards shall be provided upon that basis. The phrase "street frontage" shall be interpreted to have the same meaning as the phrase "lot frontage."
- 37. Lot, Corner. A lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost point of the lot lines to the foremost point of the lot (or an extension of the lot where it has been rounded by a street radius) meet at an interior angle of less than 135 degrees.
38. Lot, Interior. A lot other than a corner lot, with only (1) frontage on a street.
39. Lot, Reversed Frontage. A lot which is at right angles, or approximately right angles to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot or, rarely, a through lot.
- 40. Lot, Through. A lot other than a corner lot with frontage on more than one (1) street other than an alley. Through lots with frontage on two (2) streets may be referred to as double frontage lots.
- 41. Lot Width. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width; in the case of lots fronting on a cul-de-sac, the width between side lot lines at their foremost points shall not be less than 20 feet.
- 42. Mini-Warehouse. A building or group of buildings in a controlled access and fenced compound that contains individual, compartmentalized, and controlled access stalls or lockers for the dead storage of customers' goods or wares.

- 43. Mobile Home. A movable or portable dwelling unit over 32 feet in length and over eight (8) feet in width, constructed to be towed on its own chassis, designed without a permanent foundation, capable of supporting year-round occupancy, which may include one (1) or more components that can be retracted for towing purposes and subsequently expended or which may consist of two (2) or more units separately towable but designed to be joined into one (1) integral unit. The term "mobile home" as used in this ordinance includes manufactured housing but shall not include prefabricated, modular, or unitized dwellings placed on permanent foundations, nor shall it include travel trailers, campers, or similar units designed for recreation or other short term uses.
- 44. Mobile Home Park. A lot used, designed, or intended to be used for the purpose of supplying parking space for two (2) or more occupied mobile homes and which includes buildings, structures, vehicles, or enclosures used or intended to be used as part of that mobile home park. Sales or storage lots for unoccupied mobile homes are not considered to be mobile home parks.
- 45. Modular Unit. A structure consisting of two (2) or more prefabricated components which is designed to be placed on a permanent foundation at the site and is not readily relocated. The components generally arrive at the site complete except for, exterior siding, furniture, plumbing and electrical fixtures. Modular units shall be considered buildings and shall conform with the regulations for site built units in the Southern Standard Building Code.
- 46. Motel. A commercial establishment offering lodging and automobile parking for transient travelers which has individual entrances from outside the building to serve the separate units.
- 47. Nonconforming. A term applied to lots, structures, uses of land or structures, and characteristics of use of land or structures which were lawful before the passage or amendment of this ordinance, but which are prohibited by this ordinance or which are not in compliance with the requirements of this ordinance.
- 48. Park. An area or facility intended to be used for recreation, exercise, sports, or similar activities, or an area intended to enhance the enjoyment of natural features or natural beauty, but specifically excluding commercially operated amusement parks.
- 49. Parking Space, Off-street. An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street arranged so that no maneuvering incidental to parking shall be on any public street and so that an automobile may be parked or unparked therein without moving any other automobile.
- 50. Principal Structure. A structure (or building) having significant or primary use and justifying its own utilization (such as a dwelling or office building) as contrasted to accessory structures which are incidental or subordinate to primary structures and do not alone justify their utilization (such as a tool shed or auto garage used in conjunction with a dwelling). Certain structures may be either principal or accessory depending upon utilization, such as parking

garage as an accessory structure to an office building or as a principal structure when operated commercially in a business area.

51. Principal Use. The significant or primary activity carried out within a structure or upon land (such as retail sales within a store or occupancy of a dwelling unit as a residence) as contrasted to accessory uses which are incidental or subordinate to primary uses (such as sale of soft drinks at an automobile service station). Certain uses may be either principal or accessory, depending upon their relationship with other uses, as for example a newsstand as an accessory use within a hotel lobby or as a principal use within a separate structure.

- 52. Restaurant. A place of business where food, drinks or refreshments are prepared and sold to customers primarily for consumption on the premises. This term shall include but not be limited to an establishment known as a cafe, lunch counter, cafeteria, eating and drinking establishment or other similar business, but shall not include a fast food restaurant. In a restaurant, any facilities for carry-out shall be clearly subordinate to the principal use providing prepared foods for consumption on the premises.

- 53. Restaurant, Fast Food. A place of business devoted to the retail sale of ready to consume food or beverages for consumption on or off the premises. A restaurant will be considered a fast food restaurant if it exhibits any of the following characteristics:

- (a) There is space or facilities allocated and used for carry-out service, or for carry-out and customer self service for on-premises consumption combined;
- (b) Most food items are already prepared or packaged before the customer places an order; and
- (c) The establishment primarily serves its food and beverages in disposable containers and provides disposable tableware.

This definition does not include an establishment known as retail grocery store, convenience store, delicatessen or other businesses selling food or beverages as an accessory use or for off-premises preparation and consumption.

54. Rooming and Boarding Houses. Any dwelling, other than a hotel or motel, in which more than three (3) persons are not members of the owner's or operator's family are housed or lodged in rooms used or intended to be used for living and sleeping but not for cooking or eating purposes, for compensation, with or without meals being provided. Any dwelling in which such accommodations are offered in 10 or more rooms shall be considered to be a hotel or motel.

55. Setback Line. The setback line is the same as the depth or width of any required yard. Note that such line defines the minimum distance between any structure and an adjacent lot boundary.

56. Sign. Any device designed to inform or attract as defined in the sign regulation section of this ordinance.

57. Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including for purposes of this chapter mobile homes, travel trailers, signs, mobile signs, tubs, swimming pools, or other bathing facilities, portable signs, and antennae, but excluding from definition as structures, minor landscaping features such as ornamental pools, planting boxes, bird baths, paved surfaces, walkways, driveways, recreational equipment, flagpoles, and mailboxes.

58. Street. A public thoroughfare designed to provide the principal means of access to abutting property, or designed to serve as a roadway for vehicular travel, or both, but excluding alleys.

- 59. Travel or Camping Vehicle. A vehicular portable structure designed as a temporary dwelling for travel or recreational use, not exceeding 35 feet in length.

60. Yard. A required open space unoccupied and unobstructed by any structure or portion thereof from a height of 48 inches above the finished level of the ground.

61. Yard, Front. A yard extending between side lot lines across the front of a lot, and measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections shall be assumed to be the point at which the side and front lot lines would have met without that rounding. Front and rear lines of a required front yard shall be parallel.

62. Yard, Side. A yard extending from the rear line of the required front yard to the rear lot line, measured at right angles to a straight line joining the ends of the front and rear lot lines on the same side of the lot. The inner side yard line of a required side yard shall be parallel to the straight line so established. In the case of through lots, side yards shall extend from the rear lines of the required front yards. In the case of corner lots, the yards remaining after full and half depth front yards have been established shall be considered to be the side yards.

63. Yard, Rear. A yard extending across the rear of the lot between the inner side yard lines, measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight line so established.

ARTICLE THREE
ESTABLISHMENT OF DISTRICTS AND ZONING MAP

SECTION 3-1 - DISTRICT BOUNDARIES ESTABLISHED BY ZONING MAP

The boundaries of the zoning districts established by this ordinance are hereby established on a map entitled "Zoning Map Moncks Corner, South Carolina," which map is declared to be a part of this ordinance.

Section 3-2 - MAINTENANCE OF OFFICIAL COPY OF ZONING MAP

At least one (1) official copy of the zoning map shall be maintained in the office of the zoning administrator, upon which shall be recorded, after the passage thereof, every amendment to this ordinance which effects a change in any zoning district boundary. The official copy of the zoning map shall be attested by the city clerk, and shall be available at all times for inspection by the general public.

SECTION 3-3 - ZONING MAPS OTHER THAN OFFICIAL COPY

The zoning administrator may distribute copies of the zoning map to the general public for reference purposes. However, the official copy of the zoning map maintained in the office of the zoning administrator plus official records of the city clerk regarding actions of the city council to amend district boundaries shall constitute the only official description of the location of zoning district boundaries, and persons having recourse to this ordinance for any purpose are hereby so notified.

SECTION 3-4 - INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of any zoning district, the following general rules of interpretation shall apply. It is the duty of the zoning administrator to interpret the location of zoning district boundaries. An appeal from an interpretation or finding of the zoning administrator may be taken to the zoning board of appeals.

1. District boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow those center lines.
2. District boundaries indicated as approximately following platted lot lines shall be construed as following those lot lines.
3. District boundaries indicated as approximately following city limits shall be construed as following city limits.

4. District boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. District boundaries indicated as following center lines of stream beds or other bodies of water shall be construed to follow those center lines.
6. District boundaries indicated as approximately parallel to or extensions of features indicated in subsections above shall be so construed and at that distance therefrom as indicated on the official copy of the zoning map. Distances not specifically indicated on the official copy of the zoning map shall be determined by the scale of the map.

SECTION 3-5 - ERECTION OF BUILDINGS ON LOTS SPLIT BY ZONING DISTRICT BOUNDARY LINE

No structures or accessory uses shall hereafter be erected, constructed, altered or have a change in use where the structure or accessory use is or would be included within two or more zoning districts unless such structures or uses conform to the requirements of both zoning districts.

ARTICLE FOUR APPLICATION OF REGULATIONS

SECTION 4-1 - REGULATIONS REGARDED AS MINIMUM

Within each district, the regulations set forth by this ordinance shall apply uniformly to each class or kind of structure or land. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards shall govern. Unless deed restrictions, covenants, or other contracts directly involve the city as a party in interest, the city shall have no administrative responsibility for enforcing such deed restrictions or covenants.

SECTION 4-2 - ZONING AFFECTS ALL LANDS, BUILDINGS AND STRUCTURES

No building, structure, or land shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with the regulations specified in this ordinance for the district in which it is located.

SECTION 4-3 - ZONING AFFECTS HEIGHT OF BUILDINGS AND/OR STRUCTURES, POPULATION DENSITY, LOT COVERAGE, YARDS, AND OPEN SPACES

No building or other structure shall hereafter be erected or altered in violation of the provisions of the ordinance: (1) to exceed the height; (2) to accommodate or house a greater number of families; (3) to occupy a greater percentage of lot area; and/or (4) to leave narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required, or in any other manner contrary to the provisions of this ordinance.

SECTION 4-4 - YARD OR OPEN SPACE, OFF-STREET PARKING OR LOADING SPACE REQUIREMENTS FOR ONE (1) BUILDING NOT TO BE INCLUDED AS SUCH REQUIREMENTS FOR ANY OTHER BUILDING

No part of a yard, or other open space or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance shall be included as a part of a yard, open space, of off-street parking or loading space similarly required of any other building or use. Shared parking, however, may be permitted in accordance with Section 7-7.

SECTION 4-5 - REDUCTION OF LOT AREA PROHIBITED

No yard or lot existing at the time of passage of these regulations shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of these regulations shall meet at least the minimum requirements established by these regulations.

**ARTICLE FIVE
GENERAL REGULATIONS**

SECTION 5-1 - NONCONFORMING USES

Within the districts established by this ordinance, or by amendments which may later be adopted, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this ordinance was passed or amended, but which would be prohibited or regulated and restricted under the terms of this ordinance or future amendment. It is the intent of this ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. Nonconforming uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. It is the further intent of this ordinance that non-conformities shall not be enlarged upon, expanded or extended, reconstructed to continue nonconformity after major damage, or used as grounds for adding other structures or uses prohibited elsewhere in the same district.

AMENDMENT - ADOPTED FEBRUARY 15, 1994

TO SECTION 5-2, SUBSECTION 5 ZONING ORDINANCE NO. 1994-03

To include but not limited to automobile graveyards, junkyards and scrap processors. In the event of voluntary discontinuance and/or abandonment of properties on which there exists a nonconforming land use prior to the expiration of the notice period in the proceeding paragraph, the Zoning Administrator may provide supplemental notice to the nonconforming user that such nonconforming use shall not be revived and that the same shall cease to exist. For the purposes of this subsection, voluntary discontinuance or abandonment shall have occurred when no new commercial activity has been engaged on the premises for a period of thirty (30) calendar days. In all other cases of these specifications, nonconforming uses whereby the commercial activity has not been abandoned, the Administrator is required to establish rules and regulations to be reviewed by Council which will cause those property owners to build at the property owners expense obscuring structure and appropriate landscaping. The Administrator will develop regulations enforcing zoning issues that apply to nonconforming uses and the obscuring and beautification of the same. Council will have ultimate authority.

SECTION 5-2 - CONTINUANCE OF NONCONFORMING USES, STRUCTURES, OR CHARACTERISTICS OF USE

1. **Change to Another Nonconforming Use.** A nonconforming use, structure, or characteristic of use shall not be changed to any other nonconforming use, structure, or characteristic of use unless the zoning board of appeals finds that the new use, structure, or characteristic of use is more in character with the uses permitted in the district, in which case the zoning board of appeals may permit such change as a special exception. In permitting the change, the zoning board of appeals may require appropriate conditions and safeguards in accord with the purpose of this ordinance.
2. **Conversion of Use on Nonconforming Lots.** The minimum yard requirements of this ordinance shall not be construed as prohibiting the conversions of an existing building which does not meet the minimum yard requirements to another permitted use, so long as no further encroachment is made into the existing yards.
3. **Reconstruction.** A nonconforming structure shall not be demolished and rebuilt as a nonconforming structure.
4. **Extension or Enlargement.** A nonconforming use, structure or characteristic of use shall not be extended, enlarged, or intensified except in conformity with this ordinance, provided however, that any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside that building.
5. **Reestablishment.** A nonconforming use, or characteristic of use, shall not be reestablished after vacancy, abandonment, or discontinuance of any period of 12 consecutive months, except where subsection 6 below, applies. When a nonconforming use has been replaced by a conforming use, the nonconforming use may not be reestablished at any time.
6. **Reconstruction After Damage.** A nonconforming structure shall not be rebuilt, altered, or repaired except in conformity with this ordinance after sustaining damage exceeding 75 percent of the appraised market value of the structure for tax purposes at the time of damage, provided that any permitted reconstruction shall begin within six (6) months from the time of damage and shall be completed within twelve (12) months after the issuance of a building permit.

SECTION 5-3 - REPAIR OR MAINTENANCE OF NONCONFORMING STRUCTURES

On any building devoted in whole or in part to any nonconforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing provided that the cubic content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.

SECTION 5-4 - NONCONFORMING LOTS OF RECORD

In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. This provision shall apply even though that lot fails to meet the requirements for area or width, or both, that are generally applicable in the district provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which that lot is located.

SECTION 5-5 - TEMPORARY NONCONFORMING USES

A temporary use permit may be issued by the zoning administrator for an appropriate period of time not to exceed 12 month increments for nonconforming buildings, structure or use incidental to building construction or land development or deemed to be generally beneficial, provided that the owner of that temporary nonconforming use agrees to remove the temporary nonconforming use upon expiration of the permit.

SECTION 5-6 - ANNEXATION

1. For property annexed by ordinance the zoning district classification shall be designated as follows:

- a. The city council, after receiving a recommendation from the planning commission, shall specify an interim zoning district classification or classifications in the annexation ordinance. Such classification or classifications shall become effective on the effective date of annexation.
- b. If the zoning district classification recommended by the planning commission for incorporation in the annexation ordinance is different from the existing zoning district of the unincorporated area, the city council shall be so advised in writing and the reasons for the planning commission recommendation shall be set forth. The city council shall hold a public hearing on the proposed annexation and the proposed interim zoning of the property to be annexed.
- c. A notice shall be published in the same manner as required for rezoning.
- d. A petitioner may withdraw the petition prior to adoption of the ordinance.
- e. Immediately after the effective date of such annexation, the zoning administrator shall initiate zoning amendment procedures to establish or confirm the appropriate zoning classifications for the annexed area.

2. For property annexed by petition and referendum, the zoning district classification shall be designated as follows:

- a. When a petition is submitted for annexation of an area, the planning commission will be requested to prepare a proposed zoning plan for the area.
- b. The proposed zoning plan will be made public at a meeting of city council prior to the referendum.
- c. If the referendum is successful, the city council will establish the proposed zoning plan as a part of the ordinance ratifying the referendum and taking the area into the city limits.
- d. The zoning administrator will institute zoning amendment procedures to confirm the classification for the annexed area.

SECTION 5-7 - BUILDING AND LOTS TO HAVE ACCESS

Every building hereafter erected or structurally altered shall be on a lot adjoining a public street, or on a lot adjoining a street which meets all standards of the Subdivision Regulations and Curb Cut Ordinance of the City of Moncks Corner. However, no private access or driveway shall be provided to commercial or industrial districts through any residential district established by this ordinance. Also, no private access shall be provided to a multi-family residential development through a single family residential district.

SECTION 5-8 - ERECTION OF STRUCTURES ONLY UPON LOTS OF RECORD

Any new structure erected after the effective date of this ordinance shall be erected only upon a lot of record.

ARTICLE SIX DISTRICT DESCRIPTIONS

SECTION 6-1 - PURPOSE OF DIVIDING THE CITY INTO DISTRICTS

For the purpose of promoting the health, safety, morals and general welfare of Moncks Corner, and for other purposes as enumerated, Moncks Corner is hereby divided into districts as enumerated in this article within which are regulated and restricted the erection, construction, reconstruction, alteration, repair or use of buildings and of the structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

These regulations have been made with reasonable consideration of, among other things, the character of each district and its peculiar suitability for particular uses and with a view to encouraging the most appropriate use of land throughout the municipality.

The regulations of this article shall apply uniformly to each class or kind of structure or land located within any of the following district classifications respectively:

1. D-1 Development District
2. R-1 Single-Family Residential District
3. R-2 Single-Family Residential District
4. R-3 General Residential District
5. MH-1 Mobile Home Parks
6. MH-2 Mobile Home Subdivision
7. TD Transitional District
8. C-1 Office and Institutional District
9. C-2 General Commercial District
10. M-1 Light Industrial District
11. M-2 Industrial Park
12. PD-R Residential Planned Development District
13. PD-C Commercial Planned Development District
14. -AP Airport Height Restrictive Area
15. -FW Floodway Area
16. -FP Flood Plain Area

Note - Designations for -AP, -FW, and -FP are overlay districts and intended as supplements to regulations within the various other districts.

SECTION 6-2 - D-1 DEVELOPMENT DISTRICT

This district is intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominant character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or similar development, with scattered related uses. Certain structures and uses required to serve governmental, educational, religious, recreational, and other needs of such areas are permitted subject to restrictions and requirements intended to assure compatibility of uses within the district and adjacent thereto. It is further recognized that future demand for developable land will generate requests for amendments to remove land from D-1 classification and place it into other more intensely developed classifications as natural consequences of urban expansion.

SECTION 6-3 - R-1, R-2 SINGLE FAMILY RESIDENTIAL DISTRICTS

These districts are intended as single family residential areas with detached units with low to medium population densities. Use regulations for the single family districts are identical, but contain two (2) classes of lot width and lot area, and these dimensional differences are intended to be preserved. Certain structures and uses required to serve governmental, educational, religious, noncommercial recreational, and other needs of those areas are permitted outright within such districts or are permissible as special exceptions subject to restrictions and requirements intended to preserve and protect the single family residential character of the district.

SECTION 6-4 - R-3, GENERAL RESIDENTIAL DISTRICT

This district is intended as medium and high density residential areas permitting progressively higher population densities, characterized by single-family detached, two-family detached, multiple family structures, and garden type apartments. Certain structures and uses required to serve governmental, educational, religious, noncommercial recreational, and other needs of the areas are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to preserve and protect the residential character of the districts.

SECTION 6-5 - MH-1, MOBILE HOME PARK

This district is intended to provide for the establishment of mobile home parks to provide a sound and healthy residential environment and to encourage mobile homes to be located in these areas which provide the necessary amenities.

ORDINANCE NO. 1999- 20

AN ORDINANCE TO 1992 ZONING ORDINANCE OF THE TOWN OF MONCKS CORNER TO ALLOW RESIDENTIAL USE IN THE C-2, GENERAL COMMERCIAL, DISTRICTS.

WHEREAS, a request has been presented to the Moncks Corner Town Council that Section 6-9 - C-2, General Commercial District, of the 1992 Zoning Ordinance be amended by deleting the present paragraph and inserting in lieu thereof the following:

This district is intended to accommodate a variety of general commercial, non-residential, and certain types of residential uses characterized primarily by retail, office and service establishments and oriented primarily to major traffic arteries or extensive areas of predominantly commercial usage and characteristics. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this ordinance.

It is also understood that Section 6-15 - Table of Permitted Uses, Item 702, Room and Boarding Houses, shall be amended to provide for permitted use in C-2 Districts.

WHEREAS, after due consideration of the above request, NOW, THEREFORE,

BE IT ORDAINED by the governing body of the Town of Moncks Corner in meeting duly assembled this 19th day of October, 1999, that the 1992 Zoning Ordinance of the Town of Moncks Corner be amended as above stated.

BE IT FURTHER ORDAINED that the official zoning map of the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED this 19th day of October, 1999.

Gennah B. Harvey
MAYOR

Martha Jo McClinton

Walter Leaf

Isaacell Robinson

Lawrence M. Jones

Alan J. Sullivan

INTRODUCED BY: _____

FIRST READING: _____

SECOND READING: _____

ATTEST: _____

Wynne M. Baker
TOWN CLERK AND TREASURER

APPROVED AS TO FORM:

Robert E. Watson
TOWN ATTORNEY
MONCK'S CORNER, SOUTH CAROLINA

SECTION 6-6 - MH, 2. MOBILE HOME SUBDIVISION

This district is intended to provide for the establishment of subdivisions where the predominant housing will be mobile homes or manufactured housing placed on individually owned lots.

SECTION 6-7 - TD, TRANSITIONAL DISTRICT

This district is intended to accommodate uses typically found in single family areas undergoing transition to commercial and professional office uses. District land uses will preserve the area's existing residential character, while permitting commercial uses that are not major traffic generators.

SECTION 6-8 - C-1 OFFICE AND INSTITUTIONAL DISTRICT

This district is intended to accommodate office, institutional, and certain types of residential uses in areas whose characteristic is neither general commercial nor exclusively residential in nature. Certain related structures and uses required to serve the needs of the areas are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to best fulfill the intent of this ordinance.

SECTION 6-9 - C-2, GENERAL COMMERCIAL DISTRICT

This district is intended to accommodate a variety of general commercial and nonresidential uses characterized primarily by retail, office and service establishments and oriented primarily to major traffic arteries or extensive areas of predominantly commercial usage and characteristics. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this ordinance.

SECTION 6-10 - M-1 LIGHT INDUSTRIAL DISTRICT

This district is intended to accommodate wholesaling, distribution, storage, processing, light manufacturing and general commercial uses. Certain related structures and uses required to serve the needs of such uses are permitted outright or are permissible as special exceptions subject to restrictions and requirement is intended to best fulfill the intent of this chapter.

COPY

ORDINANCE NO. 1999- 20

AN ORDINANCE TO 1992 ZONING ORDINANCE OF THE TOWN OF MONCKS CORNER TO ALLOW RESIDENTIAL USE IN THE C-2, GENERAL COMMERCIAL, DISTRICTS.

WHEREAS, a request has been presented to the Moncks Corner Town Council that Section 6-9 - C-2, General Commercial District, of the 1992 Zoning Ordinance be amended by deleting the present paragraph and inserting in lieu thereof the following:

This district is intended to accommodate a variety of general commercial, non-residential, and certain types of residential uses characterized primarily by retail, office and service establishments and oriented primarily to major traffic arteries or extensive areas of predominantly commercial usage and characteristics. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this ordinance.

It is also understood that Section 6-15 - Table of Permitted Uses, Item 702, Room and Boarding Houses, shall be amended to provide for permitted use in C-2 Districts.

WHEREAS, after due consideration of the above request, NOW, THEREFORE,

BE IT ORDAINED by the governing body of the Town of Moncks Corner in meeting duly assembled this 19th day of October, 1999, that the 1992 Zoning Ordinance of the Town of Moncks Corner be amended as above stated.

COPY

BE IT FURTHER ORDAINED that the official zoning map of the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED this 19th day of October, 1999.

Gerrah B. Harvey
MAYOR

Martha Jo McElhattan

Walter Ray

Ericell Robertson

Lawrence M. Jones

Alan J. Sullivan

INTRODUCED BY: _____

FIRST READING: July 20, 1999

SECOND READING: October 19, 1999

ATTEST: Maureen Baker

TOWN CLERK AND TREASURER

1999-20

COPY

APPROVED AS TO FORM:

Robert E. Watson
TOWN ATTORNEY
MONCK'S CORNER, SOUTH CAROLINA

SECTION 6-11 - M-2 INDUSTRIAL PARK

This district is intended to accommodate areas planned and developed as industrial parks which provide an area conducive to the development and protection of modern administrative facilities, research and development centers, specialized manufacturing facilities, and similar enterprises characterized by landscaped campus-like settings.

This district is intended to accommodate primarily those uses of a manufacturing and industrial nature, and secondarily those uses which are functionally related thereto such as distribution storage, and processing. General commercial uses are allowed but are considered incidental to the predominantly industrial nature of the district. Certain related structures and uses required to serve the needs of the primary use are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to best fulfill the intent of this ordinance. In addition, certain uses are permitted only as special exceptions or are prohibited in order to protect such uses from the potentially incompatible characteristics of industrial areas.

SECTION 6-12 - PLANNED DEVELOPMENT DISTRICT

The intent of planned development districts is to derive the benefits of efficiency, economy, and flexibility by encouraging unified development of large sites, while also obtaining the advantage of creative site design, improved appearance, compatibility of uses, optimum service by community facilities, and better functioning of vehicular access and circulation. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed use development. The "development plan" as adopted in the rezoning process becomes the zoning district map for the planned development district.

1. Types of Planned Development Districts. Two (2) types of districts accommodating primarily residential or non-residential uses are created as follows:

a. PD-R Planned Unit Development - Residential. The PD-R district is intended to accommodate residential uses, with non-residential uses integrated into the design of such districts as secondary uses.

b. PD-C Planned Unit Development - Commercial. The PD-C district is intended to accommodate primarily non-residential uses, with residential uses integrated into the design of such districts as secondary uses.

2. The types of residential dwelling units and the types of non-residential uses allowed to be established in such districts increase with increasing site size of such districts, based upon the

premise that increased site size will allow proper design including functional interrelations, buffer treatments separating uses with potentially incompatible characteristics of use, design of access patterns, and relationships of uses within such planned unit developments with uses in adjacent districts. It is the intent of this ordinance that such design and planning features be incorporated properly into any PD district hereafter created, and that the planning commission and city council shall consider the existence and appropriateness of such features before any amendment to the zoning map is adopted to create such district.

SECTION 6-13 - -AP AIRPORT HEIGHT RESTRICTIVE AREA

It is the intent of this Section to restrain influences which are adverse to the proper and safe conduct of aircraft operations in the vicinity of Berkeley County Airport, to prevent creation of conditions hazardous to aircraft operation, to prevent conflict with land development which may result in loss of life and property, and to encourage development which is compatible with airport use characteristics within the intent and purpose of zoning. To this end, the "-AP" designation, when appended to a basic district classification, is intended to coordinate the purpose and intent of this Section with other regulations duly established by Moncks Corner whose primary intent is to further the purposes set out above.

SECTION 6-14 - -FW AND -FP FLOOD PROTECTIVE AREAS

Certain areas within Moncks Corner are subject to periodic inundation by flood waters which results or may reasonably be foreseen to result in loss of life and property, health and safety hazards, disruption of commerce and governmental services and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare. These hazards are caused or extended in part by the occupancy of flood hazard areas by uses which increase flood damage upon other lands or uses which are vulnerable to floods because they are inadequately elevated or not otherwise protected from flood damages. It is, therefore, the intent of this ordinance to lesson such hazards or losses by restricting or prohibiting uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities; by requiring that uses vulnerable to floods be protected against flood hazards at the time of initial construction; and by controlling filling, grading, mineral extraction, placing of obstructions within flood channels and other activities, uses, or characteristics of use which may increase flood damage.

SECTION 6-15 - TABLE OF PERMITTED USES

Uses permitted in the general zoning districts shall be as set forth in Table 1 and as modified by special provisions, exceptions and conditions contained elsewhere herein.

1. Symbols used in Table 1 are as follows:
 - a. "x" means that the indicated use is permitted in the indicated district;
 - b. "e" means that the indicated use is permitted in the indicated district, subject to the granting of a special exception by the Zoning Board of Appeals;
 - c. "a" means that the indicated use is permitted as an accessory use in the indicated districts;
 - d. "a/e" means that the indicated use is permitted as an accessory use in the indicated districts, but is also permitted in those districts as a principal use if approved by the Board of Appeals as a special exception;
 - e. "n.e.c." means "not elsewhere covered" in the Standard Industrial Classification Coding Manual;
 - f. "n.r." means "no requirement."
2. Any use not permitted in a district is expressly prohibited.
3. In residential districts, the following uses are prohibited:
 - a. storage in connection with a trade;
 - b. storage or long-term parking of commercial vehicles or industrial storage in excess of one day; and
 - c. storage of building materials except in connection with active construction.
4. A section number following the use category means that the use is allowed but must meet the conditions and requirements set forth in the referenced section.
5. The zoning administrator may utilize the Standard Industrial Classification Manual to determine the appropriate classification of a land use.

SECTION 6-16 - VETERINARY SERVICES (SIC 74)

In C-1 areas, veterinary services are allowed as a special exception subject to the following conditions:

1. The facility must not include provisions for kennels or boarding of animals not undergoing treatment;
2. The building shall be suitably designed, sound-proofed, and air conditioned;
3. Adequate ingress and egress shall be provided.
4. No outside activity associated with the use shall be permitted;
5. Where the lot is adjacent to a residential zoning district or residential use, a side yard of not less than 10 feet shall be provided;
6. All lights shall be shielded to direct lights onto the use and away from the adjacent property; and
7. All animal refuse must be kept in airtight containers and disposed of on a regular basis.

SECTION 6-17 - WAREHOUSING (SIC 4227 AND 424)

1. **Private Commercial Storage.** (SIC 424) Warehousing or other storage of wares, is permitted in the various districts as outlined below:
 - a. In C-1 districts, warehousing is permitted as an accessory use not involving over 4,000 square feet of area;
 - c. In C-3 districts, warehousing is allowed as permitted principal use or as an accessory use not involving over 20,000 square feet of area; as a special exception involving not over 30,000 square feet of area.
2. **Mini-Warehousing.** (SIC 4227) Mini-warehouses are allowed subject to provisions of:
 - a. Where the lot is adjacent to a residential zoning district, a buffer yard shall be provided on the property line adjacent to the residential zoning district in accordance with Section 7.14 and Table 3.
 - b. Fencing or walls shall be required around the open perimeter of the project. Said fence or wall shall be a minimum of six (6) feet in height.

c. Any side of the building providing doorways to storage areas shall be set back from the property line not less than twenty-five 25 feet (in addition to that setback required in item a, if applicable).

d. Off-street parking shall be required as follows: (i) one (1) space for each ten 10 storage cubicles. This parking requirement can be accomplished with the parking lanes as set forth in section "e" below; (ii) two (2) spaces for the manager's quarters, and (iii) one (1) space for every fifty 50 storage cubicles to be located at the project office for use of prospective clients.

e. On-site driveway widths shall be required as follows: (i) All one-way driveways shall provide for one (1) ten (10) foot parking lane and one (1) fifteen 15 foot travel lane. Traffic direction and parking shall be designated by signing or painting; (ii) All two-way driveways shall provide for one (1) ten (10) foot parking lane and two (2) twelve (12) foot travel lanes; (iii) The parking lanes may be eliminated when the driveway does not serve storage cubicles.

f. Retail or wholesale uses and storage of hazardous materials shall be prohibited in mini-warehouses and notice of prohibition shall be given to customers by a conspicuous sign posted at the entrance of the property or provisions in lease agreement or both.

g. Any outdoor storage area for vehicles, trailers, campers, boats or the like shall be separate from any structures and located to one side of or to the rear of the development. In no case shall these spaces be construed to meet the parking requirements of this subsection.

h. All lights shall be shielded to direct light onto the uses established and away from adjacent property, but it may be of sufficient intensity to discourage vandalism and theft.

SECTION 6-18 - WATER SUPPLY (SIC 494)

Facilities for the treatment of raw water are permitted as a use in M-1 and M-2 districts only. Storage tanks, pump stations, and other distribution related facilities are permitted uses in any district.

SECTION 6-19 - SEWERAGE SYSTEMS (SIC 4952)

Facilities for the collection and transportation of sewage, including pump stations, are permitted as a matter of right in any district. Facilities for the treatment of sewage are allowed as a permitted use in M-1 districts and M-2 districts.

SECTION 6-20 - DAY CARE SERVICES (SIC 835)

Day care facilities may be allowed in various districts as outlined below:

1. **Day Care Facilities.** Permitted in all zoning districts as a special exception subject to the following conditions:
 - a. **General Requirements.** Before granting a special exception for establishment of a day care center or kindergarten, the Board of Appeals shall receive a determination that the facility meets the requirements set forth in the South Carolina Department of Social Services "Rules and Regulations Relating to Licensing Day Care Facilities and Child Care Centers."
 - b. **Fencing.** A fenced play area of not less than 3,000 square feet shall be provided. No fence shall be less than four (4) feet in height.
 - c. **Loading and Unloading.** An area adequate for loading and unloading of children to be accommodated shall be provided and that area shall not be located within any public right-of-way.
 - d. **Play Equipment.** No play equipment shall be closer than 20 feet to any residential lot line.
 - e. **Additional Conditions.** The board of appeals shall determine if additional safeguards and conditions are appropriate in order to protect children to be accommodated from detrimental characteristics of use of adjacent areas, or to protect adjacent uses from potentially incompatible characteristics arising from the day care centers.

SECTION 6-21 - RESIDENTIAL CARE (SIC 836)

Residential care - providing 24-hour or overnight care, year round - for children or adults - including the aged, retarded, emotionally disturbed, physically handicapped, delinquents, and others - may be allowed in various districts as follows:

1. Residential care facilities for up to nine (9) persons are permitted in accordance with state law.
2. Residential care facilities over nine (9) persons may be permitted in R-3, R-4, and C-1 districts as a special exception.

SECTION 6-22 - TOWNHOUSES (SIC 8811.2.2)

In order to promote the general welfare of the city through the appropriate use of lots and areas in zone districts designated R-3 by the construction therein of one family attached dwellings, known as townhouses, it is provided that such structures may be erected within such boundaries, subject to the following standards and regulations.

1. Schedule of standards and regulations, one family attached dwellings, townhouses.
 - a. Height Limitations. Thirty-five (35) feet.
 - b. Lot Width Requirements. Eighteen (18) feet minimum (where side yards are hereinafter required, the minimum lot width shall be increased accordingly).
 - c. Front Yard Depth. Zero if parking is provided in rear or in a common area. Twenty (20) feet if parking is provided underneath the structure or in the front yard.
 - d. Side Yard Width. A side yard at least five (5) feet in width shall be provided between the end units of a row and a side lot line; provided, however that when the side lot line is a street line or driveway, the side yard adjacent to such street shall be at least ten (10) feet wide.
 - e. Rear Yard Depth. Minimum shall be ten (10) feet, however when required vehicular parking space is provided in rear yard, minimum rear yard depth shall be thirty-five (35) feet, provided that no rear yard shall be required for simultaneously constructed units abutting at the rear and sharing for their full width a common, non-bearing wall, which complies with the building code.
 - f. Lot Area Per Family, Minimum Requirements. One thousand five hundred (1,500) square feet.
 - g. Percent of Lot Occupancy. Not more than fifty (50) percent of lot shall be occupied by principal buildings.
 - h. The partition wall and walls between such structures shall comply with the requirements of the building code.
 - i. No more than six (6) such dwelling shall be constructed or attached together in a continuous row, and no such row shall exceed two hundred (200) feet in length.
 - j. Rear yards of such dwelling except that portion used for automobile parking and driveways shall be separated by a fence or wall affording complete screening. Such fence or wall shall be of brick, masonry, or other similar materials. The minimum height of such fence or wall shall be eight (8) feet.

k. All yard areas used for the drying of clothes shall be screened from view from the street and from adjoining yards and lots.

l. Parking spaces shall be provided for at least two (2) automobiles for each such dwelling, either on the premises or in a community parking lot or garage the title to which and/or the easement for the use of which runs with and/or is appurtenant to the title to such dwelling. No such parking lot or garage shall be located more than two hundred (200) feet from the dwelling which it serves.

m. All common driveways, parking areas, open spaces or other amenities shall have provision for perpetual maintenance by the participating property owners.

2. Accessory Buildings. In addition to a carport or a garage, an accessory building shall be permitted in the rear yard provided it does not exceed one hundred (100) square feet in gross floor area and twelve (12) feet in height, and any such accessory buildings shall be constructed of materials similar to or in keeping with the principal building.

93,900

TABLE 2 (6.23)
SCHEDULE OF MAJOR HEIGHT AND AREA REQUIREMENTS

District	Minimum Lot Area Per Unit (In Square Feet) Each Additional		Approximate Maximum Density Units Per Acre	Minimum Yard Requirements (In Feet)			Minimum Lot Width (In Feet)	Maximum Height (In Feet)	Percent Maximum Lot Cover
	1st Unit	Unit		Front	Rear	Side			
D-1	40,000	NA	1.1	35	15	10	150	35	25
R-1	12,000	NA	4	25	15	10	80	35	30
R-2	8,500	NA	5	25	15	10	70	35	30
R-3	7,500c	2,500	11	25	15	5	50	35	40
MH-1	(See section	6.30)		25	25	25	N/A	N/A	40
MH-2	5,000c	2,500	16.4	25	15	5	50	35	30
TD	5,000c	2,500	16.4	25	15	5	50	35	30
C-1	5,000c	2,500	16.4	25	15	5	NAh	50	50
C-2	NA	NA	NA	25	10	5 0-5	NA	70	NA
M-1	NA	NA	NA	25	0b	0a	NA	70	NA
M-2	NA	NA	NA	25	0b	0a	NA	70	NA

NOTES:

- a. No side yard is required except that a landscape buffer must be provided in accordance with this ordinance.
- b. No rear yard is required except that a landscape buffer must be provided in accordance with this chapter.
- c. Detached single family dwelling shall be required to have 5,000 square feet per unit. The density shall meet the same requirements for the first unit.

SECTION 6-24 - SPACING REQUIREMENTS FOR DRINKING ESTABLISHMENTS.

Drinking places in conformity with state law shall be permitted, subject to the following provisions:

1. Lots used as drinking places shall not be located closer than four hundred (400) feet from any other lot used as a drinking place and shall not be closer than six hundred (600) feet from any lot which contains a school or place of worship;
2. The hours of operation shall be subject to approval by the board of appeals when such establishment is located adjacent to a residential zone;
3. Off-street parking requirements shall be twelve (12) per one thousand (1,000) square feet of gross floor area; and
4. Adequate ingress and egress shall be provided.

SECTION 6-25 - LOT SIZE SETBACK AND HEIGHT REQUIREMENTS

The lot, setback and height requirements shall comply with Table 2 unless modified by special provisions, exceptions and conditions contained elsewhere in this ordinance.

SECTION 6-26 - FRONT SETBACKS RELATED TO ADJACENT STRUCTURES

Notwithstanding the setback requirements of this ordinance, the front building line of any proposed building may be as close to the street as the average front building line of the buildings fronting on the same block face.

SECTION 6-27 - STRUCTURES AND PROJECTIONS INTO REQUIRED SETBACKS

The general definition of "yards" as set forth in Section 2.1 states that yards are unoccupied and unobstructed by a structure or portion of a structure from forty-eight (48) inches above the finished grade level of the ground. However, the general definition shall be construed subject to the following exceptions and interpretations:

1. Those objects which are excluded from the definition of a "structure" under Section 2.1 shall not be subject to regulation under interpretation of the definition of "yard";
2. Steps and open porches without roofs shall be allowed in any required yard to within three (3) feet of an adjoining property line;

3. Screening walls and fences may be permitted in a required yard upon the determination of the Zoning Administrator that the fence or wall:

- a. does not impede site vision clearance for driveways or streets; and
- b. does not include gates that swing outward into sidewalks or public right-of-ways. A fence or wall not over seven (7) feet in height is permitted outright in side or rear yards, provided no wall or fence in excess of five (5) feet is permitted within six (6) feet of a residential structure on adjacent property;

4. Eaves, cornices, gutters, and other minor architectural features projecting less than 18 inches from the main portion of a building shall be allowed to project into any yard;

5. In C-2, M-1 and M-2 districts, structures and devices incidental to servicing, and roofs over such structures and devices are permitted within required front yards, provided that they do not constitute a substantial impediment to visibility across such yards which would contribute to the creation of traffic hazards, and further provided, that servicing operations in connection therewith can be conducted so as not to interfere with public use of adjacent sidewalks or public streets;

6. Retaining walls that do not project more than 18 inches above the grade level at the property lines of adjoining lots are permitted outright; a retaining wall in excess of 18 inches may be allowed in any required yard upon the determination of the zoning administrator that the retaining wall will not impede sight distance clearance for driveways;

7. Signs are permitted to encroach upon required yards in certain instances as set forth in Article A "Regulation of Signs", and

8. Screening required by this code may encroach into required yards.

SECTION 6-28 - ORIENTATION OF REQUIRED YARDS

In interpretation of requirements related to establishment of required yards, the zoning administrator shall apply the following interpretation to the orientation of those yards:

1. Through Lots. In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the zoning administrator may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards existing on lots within the same block.

2. Corner Lots With Two (2) Frontages. In the case of corner lots with two (2) frontages, a front yard of the required depth shall be provided on the frontage of the street having the higher traffic volumes. Where the traffic volumes on both streets are approximately equal, the required depth shall be provided on the street frontage having the minimum lot width. A second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

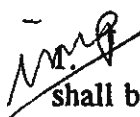
3. Corner Lots With More Than Two (2) Frontages. In the case of corner lots with more than two (2) frontages, the zoning administrator shall determine the front yard requirements, subject to the following limitations: (i) at least one (1) front yard shall be provided having full depth required generally in the district; (ii) no other front yard on that lot shall have less than half the full depth required generally.

4. Appropriateness of Orientation. Notwithstanding the above, the zoning administrator may determine that the most appropriate orientation for any required yard is different from the orientation as set forth above in such instance that it appears that such different orientation will further the intent of this ordinance. When a structure is to be built which will contain more than one (1) dwelling unit, the orientation of required yards shall be based upon both the orientation of the lot and the orientation of the structure. The zoning administrator may impose an orientation of yards different from the orientation set forth in this section and elsewhere in this ordinance subject only to appeal of the decision to the board of appeals as an appeal from an administrative decision of the zoning administrator.

SECTION 6-29 - MEASUREMENT OF HEIGHT

For purposes of this ordinance, the height of a building shall be measured from the average finished ground elevation at the base of the structure to the highest point of the roof of the structure, provided the spires, belfries, cupolas, chimneys, water tanks, ventilators, elevator housings, mechanical equipment or other such structures placed above the roof level and not intended for human occupancy shall not be subject to height limitations. Antennas are subject to height requirements and are covered under Section 6-29.

SECTION 6-30 - VISIBILITY AT INTERSECTIONS

 1. Sight Clearance to be Maintained. At each corner of each street intersection a sight area shall be maintained. Within the sight area no fence, wall, sign, or other structure, no slope or embankment, no parked vehicle, no hedge, foliage or other planting, and no other object or structure shall be placed, erected or maintained which will obstruct visibility within the sight area.

2. Dimensions of Sight Areas. The horizontal dimensions of sight areas are defined as triangular areas formed by the intersection right-of-way lines and a straight line joining said right-of-way lines at points which are fifteen (15) feet distant from the point of intersection of

6.15 TABLE OF PERMITTED USES

TABLE 1

Principal Uses

Zoning Districts

	D-1	R-1 R-2	R-3	MH1	MH2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
DIVISION A. AGRICULTURE, FORESTRY AND FISHING.											
1. Agricultural Production-Crops. 18. Horticultural Specialties.	X										No requirement
181. Ornamental floriculture and nursery products.	X										No requirement
189. Horticultural Specialties, not elsewhere classified.	X										No requirement
19. General Farms, Primarily Crop	X										No requirement
2. Agricultural Production-Livestock	X										No requirement
7. Agricultural Services.											No requirement
74. Veterinary services- Section 6-17.											3 for each 1,000 square feet of gross floor area.
78. Landscape and horticultural services.											3 for each 1,000 square feet of gross floor area.
781. Landscape consulting and planning.	X										
782. Lawn and garden services.	X										
783. Ornamental shrub and tree services.	X										1.7 for each 1,000 square feet of gross floor area. 1.7 for each 1,000 square feet of gross floor area.
8. Forestry.	X										No requirement
9. Fishing, Hunting and Trapping.	X										1.7 for each 1,000 square feet of gross floor area.
91. Commercial fishing.	X										1.7 for each 1,000 square feet of gross floor area.
92. Fish hatcheries and preserves.	X										1.7 for each 1,000 square feet of gross floor area.
97. Hunting, and trapping, and game propagation.	X										1.7 for each 1,000 square feet of gross floor area.
DIVISION B. MINING.											
14. Mining and Quarrying of Nonmetallic Minerals, Except Fuels.	X										No requirement
DIVISION C. CONSTRUCTION.											
15. Building Construction-General Contractors and Operative Builders.											3 for each 1,000 square feet of gross floor area.
151. Office only.											3 for each 1,000 square feet of gross floor area.
16. Construction-Other Than Building Construction-General Contractors.											3 for each 1,000 square feet of gross floor area.
161. Office only.											3 for each 1,000 square feet of gross floor area.
17. Construction-Special Trade Contractors.											3 for each 1,000 square feet of gross floor area.
171. Office only.											1.7 for each 1,000 square feet of gross floor area.
DIVISION D. MANUFACTURING.											
20. Food and Kindred Products											
205. Bakery products.											1.7 for each 1,000 square feet of gross floor area.
22. Textile Mill Products.											1.7 for each 1,000 square feet of gross floor area.
23. Apparel and Other Finished Products Made From Fabrics and Similar Materials.											1.7 for each 1,000 square feet of gross floor area.

LEGEND: X - permitted use in the district.

8 - special exception by zoning board of appeals.

6-15 TABLE OF PERMITTED USES

Zoning Districts

Principal Uses

	D-1	R-1 R-2	R-3	MH1	MH2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
14. Lumber and Wood Products, Except Furniture.									X		3 for each 1,000 square feet of gross floor area.
241. Logging camps and logging contractors.	X										3 for each 1,000 square feet of gross floor area.
15. Furniture and Fixtures.									X	X	1.7 for each 1,000 square feet of gross floor area.
16. Paper and Allied Products.									X		1.7 for each 1,000 square feet of gross floor area.
17. Printing, Publishing, and Allied Industries.								X	X	X	1.7 for each 1,000 square feet of gross floor area.
18. Chemicals and Allied Products.									X		1.7 for each 1,000 square feet of gross floor area.
19. Petroleum Refining and Related Industries.									X		1.7 for each 1,000 square feet of gross floor area.
11. Leather and Leather Products.									X		1.7 for each 1,000 square feet of gross floor area.
12. Stone, Clay, Glass and Concrete Products.									X		1.7 for each 1,000 square feet of gross floor area.
13. Primary Metal Industries.									X		1.7 for each 1,000 square feet of gross floor area.
14. Fabricated Metal Products, Except Machinery and Transportation Equipment.									X		1.7 for each 1,000 square feet of gross floor area.
15. Machinery, Except Electrical.									X		1.7 for each 1,000 square feet of gross floor area.
16. Electrical and Electric Machinery, Equipment, and Supplies.									X	X	1.7 for each 1,000 square feet of gross floor area.
17. Transportation and Equipment.									X		1.7 for each 1,000 square feet of gross floor area.
18. Measuring, Analyzing and Controlling Instruments; Photographic, Medical and Optical Goods; Watches and Clocks.									X	X	1.7 for each 1,000 square feet of gross floor area.
19. Manufacturing Industries, not Elsewhere Classified.									X		1.7 for each 1,000 square feet of gross floor area.
20. TRANSPORTATION, COMMUNICATION, ELECTRIC, GAS, AND SANITARY SERVICES.											
401. Railroad Transportation.	X	X	X	X	X	X	X	X	X	X	1.7 for each 1,000 square feet of gross floor area.
401. Railroads.											1.7 for each 1,000 square feet of gross floor area.
404. Railway express service.											
1. Local Urban Transit and Interurban Highway Passenger Transportation and Service Facilities for Motor Vehicle Passenger Transportation.								X	X	X	1.7 for each 1,000 square feet of gross floor area.
2. Motor Freight Transportation and Warehousing.											
421. Trucking, local and long distance.									X	X	1.7 for each 1,000 square feet of gross floor area.
4212. Local trucking without storage.									X	X	1.7 for each 1,000 square feet of gross floor area.
4114. Local trucking with storage.									X	X	1.7 for each 1,000 square feet of gross floor area.

LEGEND: X - permitted use in the district.

TABLE 1

6.15 TABLE OF PERMITTED USES

Zoning Districts

Principal Uses

	D-1	R-1 R-2	R-3	MH1	MH2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
422. Public warehousing.									X	X	1.7 for each 1,000 square feet of gross floor area.
4227. Mini-warehouse - Section 6-18.2									X		1.7 for each 1,000 square feet of gross floor area.
423. Terminal and joint terminal maintenance facilities for motor freight transportation.									X	X	4 for each 1,000 square feet of gross floor area.
424. Private commercial storage - section 6-15.1.							a	X	X	X	1.7 for each 1,000 square feet of gross floor area.
43. U.S. Postal Service.							X	X	X	X	4 for each 1,000 square feet of gross floor area.
45. Transportation by Air.									X		1.7 for each 1,000 square feet of gross floor area.
47. Transportation Services.											
471. Freight forwarding.									X		1.7 for each 1,000 square feet of gross floor area.
4789. Services incidental to transportation, not elsewhere classified.									X		1.7 for each 1,000 square feet of gross floor area.
48. Communication.											
481. Telephone communication (wire or radio).								X	X	X	1.7 for each 1,000 square feet of gross floor area.
483. Radio and television broadcasting.								X	X	X	1.7 for each 1,000 square feet of gross floor area.
489. Communication services not elsewhere classified.								X	X	X	1.7 for each 1,000 square feet of gross floor area.
49. Electric, Gas and Sanitary Services.											
491. Electric substations.	e	e	e	e	e	e	e	X	X	X	1.7 for each 1,000 square feet of gross floor area.
492. Gas production and distribution.									X	X	1.7 for each 1,000 square feet of gross floor area.
493. Combination electric and gas, and other utility services.									X	X	1.7 for each 1,000 square feet of gross floor area.
494. Water supply - section 6-16	X	X	X	X	X	X	X	X	X	X	1.7 for each 1,000 square feet of gross floor area.
495. Sanitary services.											
4952. Sewerage systems - Section 6.7	X	X	X	X	X	X	X	X	X	X	1.7 for each 1,000 square feet of gross floor area.
4953. Refuse systems.											1.7 for each 1,000 square feet of gross floor area.
DIVISION F. WHOLESALE TRADE											
50. Wholesale Trade - Durable Goods. <i>5093</i>											
501. Motor vehicles and automotive parts and supplies.								X	X	X	
51. Wholesale Trade- Nondurable Goods.											
511. Paper and paper products.								e	X	X	1.7 for each 1,000 square feet of gross floor area.
512. Drugs, drug proprietaries and druggist's sundries.								e	X	X	1.7 for each 1,000 square feet of gross floor area.
513. Apparel - goods and notions.								e	X	X	1.7 for each 1,000 square feet of gross floor area.
514. Groceries and related products.								e	X	X	1.7 for each 1,000 square feet of gross floor area.
515. Farm product - raw materials.									X		1.7 for each 1,000 square feet of gross floor area.
516. Chemicals and allied products.									X		1.7 for each 1,000 square feet of gross floor area.

X - permitted use in the district.

e - special exception by zoning board of appeals.

a - permitted accessory use.

a/a - permitted as an accessory use or as a principal use by special exception.

LEGEND:

6.15 TABLE OF PERMITTED USES

Principal Uses

Zoning Districts

	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
517. Petroleum and petroleum products. 5171. Petroleum bulk stations and terminals 5172. Petroleum and petroleum products wholesalers, except bulk stations and terminals									X		1.7 for each 1,000 square feet of gross floor area.
518. Beer, wine and distilled alcoholic beverages.									X		1.7 for each 1,000 square feet of gross floor area.
519. Miscellaneous nondurable goods.							e		X	X	1.7 for each 1,000 square feet of gross floor area.
DIVISION G. RETAIL TRADE											
52. Building Materials, Hardware Garden Supply, and Mobile Home Dealers. 521. Lumber and other building materials dealers.								e	X		3.5 for each 1,000 square feet of gross floor area.
523. Paint, glass, and wallpaper stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
525. Hardware stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
526. Retail nurseries, lawn and garden supply stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
527. Mobile home dealers.	X							X	X		3.5 for each 1,000 square feet of gross floor area.
53. General Merchandise Stores.								e	X		3 for each 1,000 square feet of gross floor area.
531. Department stores.								X			3.5 for each 1,000 square feet of gross floor area.
533. Variety stores.								X			3.5 for each 1,000 square feet of gross floor area.
539. Miscellaneous general merchandise stores.								X			3.5 for each 1,000 square feet of gross floor area.
54. Food Stores.											
541. Grocery stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
543. Fruit stores vegetable markets.								X			3.5 for each 1,000 square feet of gross floor area.
546. Retail bakeries.	X							X	X		3.5 for each 1,000 square feet of gross floor area.
5462. Retail bakeries - baking and selling.											
5463. Retail bakeries - selling.						e		X	X		1.7 for each 1,000 square feet of gross floor area.
549. Miscellaneous.								X	X		3.5 for each 1,000 square feet of gross floor area.
55. Automotive Dealers and Gasoline Service Stations.											
551. Motor vehicle dealers (New and used).									X		3 for each 1,000 square feet of gross floor area.
552. Motor vehicle dealers (Used only).								X	X		3 for each 1,000 square feet of gross floor area.
553. Auto and home supply stores.								X	X		3.5 for each 1,000 square feet of gross floor area.

Legend: X - permitted use in the district

e - special exception by zoning board of adjustment

TABLE 1
6.15 TABLE OF PERMITTED USES

Principal Uses	Zoning Districts										Offstreet Parking Requirements
	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	
554. Gasoline service stations.								X	X		3.3 for each 1,000 square feet of gross floor area.
555. Boat dealers.								a	X		3.5 for each 1,000 square feet of gross floor area.
556. Recreational and utility trailer dealers.								a	X		3 for each 1,000 square feet of gross floor area.
56. Apparel and Accessory Stores.							a	X	X		3.5 for each 1,000 square feet of gross floor area.
57. Furniture, Home Furnishings and Equipment stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
58. Eating and Drinking Places.											
5812. Eating places(except fast food).						a		X	X		12 for each 1,000 square feet of gross floor area.
5813. Drinking places(alcoholic beverages) Section 6.24.								X	X		8 for each 1,000 square feet of restaurant.
5814. Fast food eating places.								X	X		8 for each 1,000 square feet of restaurant.
59. Miscellaneous Retail.											
591. Drug stores and proprietary stores.				a			a	X	X		3.5 for each 1,000 square feet of gross floor area.
592. Liquor stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
593. Used merchandise stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
* 594. Miscellaneous shopping goods stores.								X	X		3.5 for each 1,000 square feet of gross floor area.
596. No-store retailers.											
5961. Mail order house.								X	X		3 for each 1,000 square feet of gross floor area.
5962. Automatic merchandising machine operators.								X	X		3 for each 1,000 square feet of gross floor area.
598. Fuel and ice dealers.											
5982. Fuel an ice dealers, except fuel oil dealers and bottled gas dealers.								X	X		3.5 for each 1,000 square feet of gross floor area.
5983. Fuel oil dealers.								a	X		1.7 for each 1,000 square feet of gross floor area.
5984. Liquefied petroleum gas (bottled gas) dealers.								a	X	X	1.7 for each 1,000 square feet of gross floor area.
599. Retail stores, not elsewhere classified.							a/a	X	X		3.5 for each 1,000 square feet of gross floor area.
5992. Florist.											
5993. Cigar store stands.							a/a	X	X		3.5 for each 1,000 square feet of gross floor area.
5994. News dealers and newsstands.							a/a	X	X		3.5 for each 1,000 square feet of gross floor area.
5999. Miscellaneous retail stores, not elsewhere classified.							a/a	X	X		3.5 for each 1,000 square feet of gross floor area.
DIVISION H. FINANCE, INSURANCE AND REAL ESTATE (60-67).							X	X	X		3 for each 1,000 square feet of gross floor area.

LEGEND:
 X - permitted use in the district.
 a - special exception by zoning board of appeals.
 a/a - permitted accessory use.
 a/a - permitted as an accessory use or as a principal use by special exception.

TABLE 1
6.15 TABLE OF PERMITTED USES

Principal Uses	Zoning Districts										Offstreet Parking Requirements
	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	
DIVISION I. SERVICES. 70. Hotels, Rooming Houses, Camps and Other Lodging Places. 701. Hotels, motels, and tourist courts.											
701.1 Hotel - Bed and Breakfast			X			X	X	X			1 for each bedroom plus one for each 500 sqft of meeting rooms.
701.2 Hotel - Suite								X	X		1 for each bedroom.
702. Room and boarding houses.								X			1 for each bedroom plus one for each 500 sqft of meeting rooms.
703. Camps and trailer parks.	X						X				1 for each bedroom. No requirements.
704. Organization hotels and lodging houses, on membership basis.											
72. Personal Services. 721. Laundry, cleaning, and garment services. 7211. Power laundries. 7212. Garment pressing, and agents for laundries and dry cleaners.											One for each 3 beds.
7213. Linen supply.								X	X		1.7 for each 1,000 square feet of gross floor area.
7214. Diaper Service.								X	X		1.7 for each 1,000 square feet of gross floor area.
7215. Coin operated laundries and dry cleaning.								X	X		1.7 for each 1,000 square feet of gross floor area.
7216. Dry cleaning plants, except rug cleaning.								X	X		3.5 for each 1,000 square feet of gross floor area.
7217. Carpet and upholstery cleaning.									X		1.7 for each 1,000 square feet of gross floor area.
7218. Industrial laundries.									X		1.7 for each 1,000 square feet of gross floor area.
7219. Laundry and garment services not elsewhere classified.									X		3.5 for each 1,000 square feet of gross floor area.
722. Photographic studios, portrait.											
723. Beauty shops.											1.7 for each 1,000 square feet of gross floor area.
724. Barber shops.											2.5 per chair or basin sink.
725. Shoe repair shops, shoe shine parlors, and hat cleaning shops.											2.5 per chair or basin sink.
726. Funeral services and crematories.											
729. Miscellaneous personal services, except massage parlors and spas.											1 for each 300 square feet of gross floor area.
7299. Massage parlors, spas.											5 plus 1 for each 2 seats on main assembly room.
73. Business Services.											3.5 for each 1,000 square feet of gross floor area.
7311. Advertising agencies.											
7312. Outdoor advertising agencies.											3.5 for each 1,000 square feet of gross floor area.
											3 for each 1,000 square feet of gross floor area.

LEGEND:
X - permitted use in the district.
a - special exception by zoning board of appeals.
a - permitted accessory use.
a/a - permitted as an accessory use or as a principal use by special exception.

6.15 TABLE OF PERMITTED USES

TABLE 1

Zoning Districts

Principal Users

	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
732. Consumer credit reporting agencies.						e	X	X	X		3.5 for each 1,000 square feet of gross floor area.
7332. Blueprinting and photocopying services						e	X	X	X	X	3 for each 1,000 square feet of gross floor area.
7333. Commercial photography, art, and graphics.						e	X	X	X	X	3 for each 1,000 square feet of gross floor area.
7339. Stenographic services and reproduction services not elsewhere classified.						e	X	X	X	X	3 for each 1,000 square feet of gross floor area.
734. Services to dwellings and other buildings.											
7342. Disinfecting and extermination services.								X	X		3 for each 1,000 square feet of gross floor area.
7349. Cleaning and maintenance services to dwellings and other buildings not elsewhere classified.								X	X		3 for each 1,000 square feet of gross floor area.
736. Personal supply services.						e	X	X	X		3 for each 1,000 square feet of gross floor area.
7361. Employment agencies.						e	X	X	X		3 for each 1,000 square feet of gross floor area.
7362. Temporary help supply services.						e	X	X	X		3 for each 1,000 square feet of gross floor area.
737. Computer and data processing services.											
739. Miscellaneous business services.											
7391. Research and development laboratories.								e	X	X	1.7 for each 1,000 square feet of gross floor area.
7392. Management, consulting, and public relations services.						e	X	X	X	X	3 for each 1,000 square feet of gross floor area.
7393. Detective agencies and protective services.							e	X	X		3 for each 1,000 square feet of gross floor area.
7394. Equipment rental and leasing services.								X	X	X	3 for each 1,000 square feet of gross floor area.
7395. Photofinishing laboratories.								X	X	X	1.7 for each 1,000 square feet of gross floor area.
7396. Trading stamp services.							X	X	X		3 for each 1,000 square feet of gross floor area.
7397. Commercial testing laboratories.								X	X	X	1.7 for each 1,000 square feet of gross floor area.
7399. Business services not elsewhere classified.						e	e	X	X	X	3 for each 1,000 square feet of gross floor area.

LEGEND: X - permitted use in the district.

e - special exception by zoning board of appeals.

TABLE 1
S.15 TABLE OF PERMITTED USES

Zoning Districts

Principal Uses

	D-1	P-1 P-2	P-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
75. Automotive Repair, Services, and Garages. 751. Automobile rental and leasing without drivers. 7512. Passenger car rental and leasing without drivers. 7513. Truck rentals and leasing without drivers. 7519. Utility trailer and recreational vehicle rental.							X	X	X		3 for each 1,000 square feet of gross floor area. 3 for each 1,000 square feet of gross floor area. 3 for each 1,000 square feet of gross floor area.
752. Automobile parking. 7523. Parking lots. 7525. Parking structures. 753. Automotive repair shops. 754. Automotive services, except repair. 7542. Car washes. 7549. Automotive services, except repair and car washes.	X	a	a	a	a	e	X	X	X	X	No requirements. No requirements. 3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area.
76. Miscellaneous Repair Services. 762. Electrical repair shops. 7622. Radio and television repair shops. 7623. Refrigeration and air conditioning service and repair shops. 763. Watch, clock, and jewelry repair. 764. Reprography and furniture repair. 769. Miscellaneous repair shops and related services. 7692. Welding repair.							e	X	X		3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area.
78. Motion Pictures. 781. Motion picture production. 783. Motion picture theaters. 7832. Motion picture theaters except drive-in. 7833. Drive-in motion picture theaters.							e	X	X		3.3 for each 1,000 square feet of gross floor area. 3.3 for each 1,000 square feet of gross floor area. One for each five seats in the main auditorium or one for each 50 square feet of space used for seating. No requirement
79. Amusement and Recreation Services Except Motion Pictures. 791. Dance studios and schools.							X	X	X		5 for each 1,000 square feet of gross floor area.

LEGEND:
X - permitted use in the district.
e - special exception by zoning board of appeals.
a - permitted accessory use.

TABLE 1
6.15 TABLE OF PERMITTED USES

Zoning Districts

Principal Uses

	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
793. Bowling alleys and billiard and pool establishments.								X	X		Five for each bowling lane or one for each 200 square feet of gross floor area.
794. Commercial sports. 7941. Professional sports clubs and promoters.								X	X		3 for each 1,000 square feet gross floor area.
7946. Racing including track operations.								X	X		1.5 for each 1,000 square feet gross floor area.
799. Miscellaneous amusement and recreation services. 7992. Public golf courses. 7993. Coin operated amusement devices.	X	X	X			X	X	X	X		Five for each hole.
7996. Amusement parks. 7997. Membership sports and recreation clubs.							e	X	X		5 for each 1,000 square feet gross floor area. One for each 75 square feet of exhibit or amusement area. 5 for each 1,000 square feet gross floor area.
7999. Amusement and recreation services not elsewhere classified.								X	X		5 for each 1,000 square feet gross floor area.
80. Health Services. 801. Offices of physicians. 805. Nursing and personal care facilities.						X	X	X	X		5 for each 1,000 square feet gross floor area.
806. Hospitals.		e	e	e	e	X	X	X			One for each six beds.
807. Medical and dental laboratories.							X	X	X		1 for each 2 beds (not including bassinets).
81. Legal Services. 82. Educational Services. 821. Elementary and secondary schools.						X	X	X	X		1.7 for every 1,000 square feet of gross floor area. 3 for every 1,000 square feet of gross floor area.
822. Colleges, universities, professional schools, and junior colleges	X	X	X	X	X	X	X	X			2 per classroom, plus 2 per office, plus 1 for every 5 seats in main auditorium.
823. Libraries and information Centers.							X	X			1 for each 5 seats in the main assembly hall plus 4 for each classroom plus 2 for each office.
824. Correspondence schools and vocational schools. 8244. Business and secretarial schools.	X	e	e	X	X	X	X	X			3 for every 1,000 square feet of gross floor area.
8249. Vocational schools except vocational high schools not elsewhere classified.							X	X	X		1 for each 5 seats in the main assembly hall plus 4 for each classroom plus 2 for each office.

LEGEND: X - permitted use in the district.
e - special exception by zoning board of appeals.

6.15 TABLE OF PERMITTED USES

Zoning Districts

Principal Uses	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	Offstreet Parking Requirements
83. Social Services. 832. Individual and family social services.							X	X			3 for each 1,000 square feet of gross floor area.
833. Job training and vocational rehabilitation services.							X	X	X		3 for each 1,000 square feet of gross floor area.
835. Day care facilities - <i>Child</i> Section 6.20											1 per every 4 students.
836. Residential care - Section 6.22	X	X	X	X	X	X					1 per every four residents subject to state law.
84. Museums, Art Galleries, Botanical and Zoological Gardens. 841. Museums and art galleries. 842. Arboreta, botanical and zoological gardens.						X	X	X	X		3 for each 1,000 square feet of gross floor area.
85. Membership Organizations. 851. Business associations.						X	X	X	X		3 for each 1,000 square feet of gross floor area.
852. Professional membership.						X	X	X	X		3 for each 1,000 square feet of gross floor area.
853. Labor unions and similar labor organizations.						X	X	X	X		3 for each 1,000 square feet of gross floor area.
854. Civic, social and fraternal associations.							X	X	X		3 for each 1,000 square feet of gross floor area.
855. Political organizations.						X	X	X	X		2 for each dwelling unit. <i>3/1000</i>
856. Religious organizations.	X					X	X	X	X		2 for each dwelling unit.
88. Private Households. 8811. Dwellings. 8811.1. Detached one family. 8811.2. Attached one family. Townhouses - Section 6-23		X	X	X	X	X					2 for each dwelling unit.
Two family.						X	X	X			2 for each dwelling unit.
Multi-family.						X	X	X			501 to 750 sq.ft.-1.75/D.U. Over 751 sq.ft.-2/D.U.
Group development.						X	X	X			501 to 750 sq.ft.-1.75/D.U. Over 751 sq.ft.-2/D.U.
Mobile homes.						X	X	X			501 to 750 sq.ft.-1.75/D.U. Over 751 sq.ft.-2/D.U.
8811.3. Mobile home parks.	X					X	X	X			501 to 750 sq.ft.-1.75/D.U. Over 751 sq.ft.-2/D.U.
8811.4. Dormitories.							X				2 per mobile home accommodation.
8811.5. Fraternity and sorority houses.											1 for each bedroom.
89. Miscellaneous Services. 891. Engineering, architectural, scientific, and research organization.											1 for each bedroom.
892. Noncommercial educational, scientific, and research organization.											3 for each 1,000 square feet of gross floor area.

LEGEND: X - permitted use in the district.
 @ - special exception by zoning board of appeals.

TABLE 1
6.15 TABLE OF PERMITTED USES

Principal Uses	Zoning Districts										
	D-1	R-1 R-2	R-3	MH-1	MH-2	TD	C-1	C-2	M-1	M-2	Off-street Parking Requirements
893. Accounting, auditing, and bookkeeping services.						X	X	X	X		3 for each 1,000 square feet of gross floor area.
DIVISION J. PUBLIC ADMINISTRATION.											
91. Executive Legislative, and General Government											
911. Executive offices.							X	X			3 for each 1,000 square feet of gross floor area.
912. Legislative bodies.							X	X			3 for each 1,000 square feet of gross floor area.
919. General government not elsewhere classified.							X	X			3 for each 1,000 square feet of gross floor area.
92. Justice, Public Order, and Safety							X	X			
921. Courts.											
922. Public order and safety.											3 for each 1,000 square feet of gross floor area.
9223. Correctional institutions.	e							e	e	e	1 for each 6 inmates.
9224. Fire protection.	X	X	X			X	X	X	X	X	1 for each employee shift.
93. Public Finance, Taxation and Monetary Policy							X	X			3 for each 1,000 square feet of gross floor area.
94. Administration of Human Resources Programs.							X	X			3 for each 1,000 square feet of gross floor area.
95. Administration of Environmental Quality and Housing Programs.							X	X			3 for each 1,000 square feet of gross floor area.
96. Administration of Economic Program							X	X			3 for each 1,000 square feet of gross floor area.

LEGEND:
X - permitted use in the district.
e - special exception by zoning board of adjustment

Ordinance No. 2006- 08

Town of Moncks Corner

An Ordinance to Amend The Official Zoning Ordinance
Of The Town Of Moncks Corner

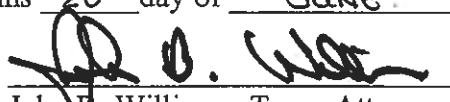
BE IT ENACTED by the Governing Body of the Town of Moncks Corner and Council duly assembled and by the authority of same that the Official Zoning Ordinance of the Town of Moncks Corner is herein amended by changing Section 6-15- TABLE OF PERMITTED USES to read as following:

729. Miscellaneous personal services except massage parlors, spas, and tattoo services.

729. Tattoo services – Permitted in M-1 and M-2 Zoning Districts

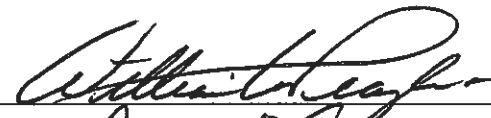
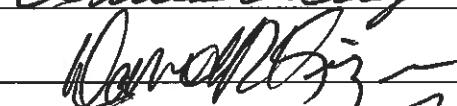
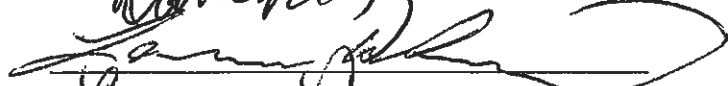
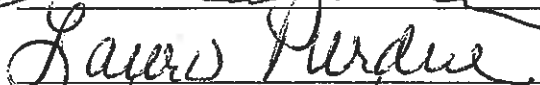
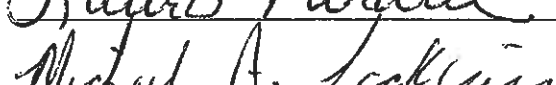
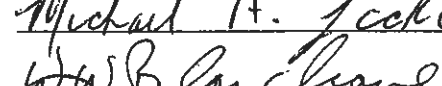
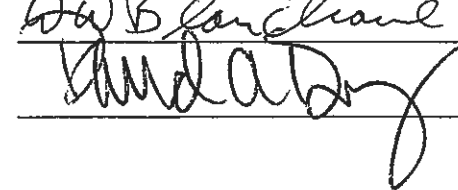
DONE AND DULY ORDAINED by the Municipal Council of the Town of Moncks Corner, in Council, duly assembled on the date hereinafter set forth.

ORDINANCE APPROVED AS TO FORM this 20TH day of JUNE, 2006.

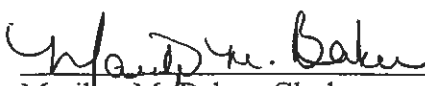

John B. Williams, Town Attorney

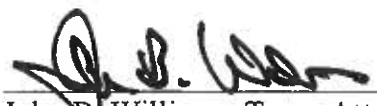
FIRST READING: March 30, 2006

PUBLIC HEARING HELD, APPROVED AND RATIFIED AND ADOPTED on the Second AND Final Reading this 20TH day of JUNE, 2006 by a vote of :


Mayor







Attest:


Marilyn M. Baker, Clerk


John B. Williams, Town Attorney

COPY

COPY

AN ORDINANCE TO AMEND SECTION 6-15 OF THE ZONING ORDINANCE OF THE TOWN OF MONCK'S CORNER TO INCLUDE THE STANDARD INDUSTRIAL CLASSIFICATION (SIC) DESIGNATION 4724 (TRAVEL AGENCIES) IN THE LIST OF PRINCIPAL USES AND TO DESIGNATE THE DISTRICTS IN WHICH THE USE IS ALLOWED.

WHEREAS, the Moncks Corner Town Council desires to amend Section 6-15, Table of Permitted Uses, in the Town Zoning Ordinance to include the STANDARD INDUSTRIAL CLASSIFICATION (SIC) Category 4724 for Travel Agencies; and

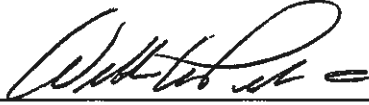
WHEREAS, it is necessary and desirable to classify said property to allow its location in C-1, Office Commercial and C-2 General Commercial Districts;

NOW THEREFORE, BE IT ORDAINED by the governing body of the Town of Moncks Corner in meeting duly assembled this 18TH day of JULY, 2006, that the Standard Industrial Classification (SIC) Category 4724 for Travel Agencies is hereby incorporated into the Municipal Zoning Ordinance for the Town of Moncks Corner and the uses allowed under such category shall be located in Zoning Districts C-1, Office Commercial and C-2, General Commercial.

BE IT FURTHER ORDAINED that the Zoning Ordinance for the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED this 18TH day of JULY 2006.



William W. Peagler, III, Mayor

COPY

ORDINANCE NO. 2006- 10 , continued

FIRST READING:

June 20 , 2006

SECOND READING:

July 18 , 2006

ATTEST:

COUNCIL:

Laura R. Herdine

[Signature]

Michael A. Feltner

William W. Blouch

[Signature]

Marilyn Baker

Marilyn Baker, Town Clerk & Treasurer

APPROVED AS TO FORM:

[Signature]

John B. Williams, Town Attorney

COPY

ORDINANCE NO. 1999- 02

AN ORDINANCE TO AMEND ORDINANCE NO. 1998-14

BE IT ORDAINED AND ENACTED by the Governing Body of the Town of Moncks Corner in council duly assembled and by the authority of the same that Ordinance No. 1998-14 be amended by striking it in its entirety and inserting in lieu thereof the following:

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO PROVIDE REGULATIONS FOR
PERMITTING COMMUNICATIONS TOWERS

WHEREAS, communications technology has produced an increased need for installation of towers and antennae to serve areas within municipalities; and

WHEREAS, the Mayor and Council desire to enact zoning regulations which will permit the placement of communications towers and antennae in locations which will allow telecommunications services to be rendered in conformity with the authority in the federal Telecommunications Act of 1996, and the goals of the municipal comprehensive plan and zoning ordinance to serve and protect the public health, safety, convenience, order, appearance, prosperity, and general welfare pursuant to Title 6, Chapter 29, South Carolina Code of Laws (1976), as amended;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Moncks Corner, South Carolina, that the Zoning Ordinance is amended by adding the following provisions:

ARTICLE 6, SECTION 6-32A
COMMUNICATIONS TOWER and ANTENNA

Section 6-32A-1. Definitions.

- a. "Communications tower" as used in this ordinance shall mean a tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, free-standing, guyed, or on a building.

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- b. "Telecommunications," as defined in the federal Telecommunications Act of 1996, means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.
- c. "Antenna" means a device, dish or array used to transmit or receive telecommunications signals.
- d. "Height" of a communication tower is the distance from the base of the tower to the top of the structure.

Section 6-32A-2. Communications tower and antenna permitted as conditional use.

Prior to the erection of a communication tower and/or antennas within the Town Limits of the Town of Moncks Corner, a building permit must be obtained from the Zoning Administrator or his designee pursuant to the guidelines listed hereinbelow.

- a. Districts in which conditional uses are permitted; height limitations.

DISTRICTS	PERMITTED HEIGHT - FREE-STANDING OR GUYED TOWER
Commercial	Free-standing or guyed tower with height not exceeding 100 feet is a permitted conditional use;
C-1	height exceeding 100 feet requires special exception.
C-2	
Industrial	Free-standing or guyed tower with height not exceeding 180 feet is a permitted conditional use;
M-1	height exceeding 180 feet requires special exception.
M-2	
Development	Free-standing or guyed tower with height not exceeding 180 feet is a permitted conditional use;
D-1	height exceeding 180 feet requires special

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exception.

PERMITTED HEIGHT ABOVE STRUCTURE

All districts Not withstanding the permitted uses above, a tower and/or antenna mounted on building, water tank or structure other than a free-standing or guyed communications tower must not extend more than 20 feet above the highest part of the structure.

SPECIAL EXCEPTIONS AND VARIANCES

All districts Free-standing or guyed tower and/or antenna exceeding height limitations may be permitted by the Zoning Board of Appeals as a special exemption.

See requirements for special exceptions in Section 6-32A-3.

All districts Variances from conditions imposed by this section may not be granted by the Zoning Board of Appeals. Variances from other general district regulations may be granted under standards in S.C. Code §6-29-800.

b. Application Requirements: The applicant for a conditional use zoning permit for construction of a communications tower or placement of a commercial telecommunication antenna on an existing structure other than a tower previously permitted must file with the Zoning Administrator an application accompanied by a fee of \$300.00 and the following documents, if applicable:

1. One copy of typical specifications for proposed structures and antennae, including description of design characteristics & material.

2. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property [site plan not required if antenna is to be mounted on an approved existing structure];
3. A current map, or update for an existing map on file, showing locations of applicant's antennae, facilities, existing towers, and proposed towers which are reflected in public records, serving any property within the city;
4. A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.
5. Identification of the owners of all antennae and equipment to be located on the site.
6. Written authorization from the site owner for the application;
7. Evidence that a valid FCC license for the proposed activity has been issued;
8. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts;
9. A written agreement to remove the tower and/or antenna within 180 days after cessation of use;
10. Evidence that application conditions in subsection c. are met; and

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11. Additional information required by the Zoning Administrator for determination that all applicable zoning regulations are met.

c. Conditions: Applicant must show that all applicable Conditions are met.

1. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant's technical design requirements.
2. Applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements without unreasonable modifications on any existing structure or tower under the control of applicant.
3. Prior to consideration of a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant's technical design requirements.
4. Applicant must show that a new tower is designed to accommodate additional antennae equal in number to applicant's present and future requirements.
5. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.

6. Any other information as requested by staff or the Zoning Board of Adjustment to allow adequate review of approval criteria, including a line of sight analysis showing potential visual and aesthetic impacts. For instance, photographs may be required with the tower superimposed to assess visual impact. Additionally, the proposed tower's FAA study number may be required.
7. A communications tower must not be painted or illuminated unless otherwise provided by state or federal regulations.
8. A communication tower must not be located within 1,000 feet of an existing communication tower unless the applicant certifies that the existing tower does not meet the applicant's structural specifications and the applicant's technical design requirements, or that a co-location agreement could not be obtained at a reasonable market rate. In the event of the above situation, the clustering of new towers on the same parcel near existing towers is encouraged.
9. A communication tower must be located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties (the fall zone shall be determined by an engineer certified by the State of South Carolina in a letter which includes the engineer's signature and seal).
10. A communication tower must not be located any closer to a residential structure than a distance equal to one (1) foot for each foot in height of the proposed tower, plus 50 feet as measured from the base of the tower. In the case of a tower and/or antenna on a building, the setback shall be measured from the base of the building. This requirement may be waived by the owner(s) of the residential structure.

11. For the purposes of co-location review, the applicant shall submit satisfactory written evidence (such as correspondence, agreements, contracts, etc.) that alternative towers, buildings, or other tall structures are not available for use within the tower applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, providing a location free of interference from other communication towers, or available at the prevailing market rate (as determined by staff communication with persons doing business within the industry).
12. A communication tower shall be constructed for future co-location opportunity subject to engineering capabilities of that design. The tower's owner must submit documentation of his/her willingness to allow other users to co-locate on the tower at the prevailing market rate (as determined by staff communication with persons doing business within the industry).
13. A six (6) foot non-climbable fence must be placed around the tower and any associated building. Guy wires may be fenced separately.
14. Applicant must shown by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Zoning Administrator a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the municipal attorney.
15. Land development regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign,

storage, and all other general zoning district regulations except setback and height, shall apply to the use. Setback and height conditions in this section apply.

d. Appeal to Board

Applicant may appeal to the Board of Zoning Appeals Appeals as follows:

1. Failure of the Zoning Administrator to act on an application which is determined to be complete under this section within 45 days, unless extended by agreement, may be considered by applicant to be a denial of a permit which is subject to appeal to the Board of Zoning Appeals.
2. Applicant may appeal to the Board for a variance from general zoning district regulations and setback requirements in this section, but not from any other conditions in this section. Towers exceeding height limitations may be permitted only by special exception pursuant to Section 6-32-A-3.
3. Applicant may apply directly to the Board of a permit for any tower as a special exception pursuant to Section 6-32-A-3.

Section 6-32A-3. Special exceptions.

A tower, pole, or antenna may be permitted by special exception granted by the Board of Zoning Appeals after public hearing and findings of fact based on the following criteria.

Special
exception
criteria

The Board of Zoning Appeals must find and
conclude:

1. All application requirements and conditions imposed by Section 6-32-A-2 of this ordinance for conditional uses are met except height limitations and setbacks.
2. If additional tower height is requested, total tower height will not exceed 150% of the maximum height permitted in the district as a conditional use.
3. Applicant has demonstrated that additional height above that permitted by conditional use regulations is necessary for service to occupants of an area within the municipality.
4. Setback requirements and such additional conditions are established by the Board as it deems necessary to remove danger to health and safety, and to protect adjacent property.
5. The Telecommunications Act of 1996 requires that a denial of a permit be supported by substantial evidence.
6. The Board may not grant a variance from the standards imposed for a communications tower or antenna in connection with granting a special exception, except as permitted by Section 6-32A-2d.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED THIS 19th day of January,

1999.

Samuel B. Danner
MAYOR

Laurence M. Darr

Way F. Sullivan

Joseph E. Hyatt
Martha Jo M. Stokley
William W. Taylor
L. Creel Johnson

INTRODUCED BY: _____

FIRST READING: December 15, 1998

SECOND READING: January 19, 1999

ATTEST: Marilyn M. Baker
TOWN CLERK AND TREASURER

APPROVED AS TO FORM:

Ruth E. Watson
TOWN ATTORNEY,
MONCK'S CORNER, SOUTH CAROLINA

the right-of-way lines in commercial and industrial districts and twenty-five (25) feet distant from the point of intersection of the right-of-way lines in residential districts, measured along the right-of-way lines. Those sight areas shall be established regardless of the angle of intersection of the right-of-way lines. For the intersection of a driveway and a street, the triangular area is that formed by the right-of-way and the edge of the driveway and a straight line joining said right-of-way and driveway edge at points which are fifteen (15) feet distant from the point of intersection. The vertical dimensions of sight areas are defined as the vertical space between the heights of two and one-half (2 1/2) feet and ten (10) feet in elevation above the nearest edge of street pavement of a paved street or above the nearest edge of riding surface of an unpaved street.

SECTION 6-31 - ACCESSORY BUILDINGS

No accessory building shall be erected closer than three ⁵~~(3)~~ feet to any side or rear property line or within five (5) feet of any main building. No accessory structure shall be erected within a required front yard, excluding open carports, provided however, below ground swimming pools may be located on the side or rear property lines and above ground swimming pools shall be permitted by special exception with appropriate screening.

SECTION 6-32 - ANTENNAS Amended Ord. # 1999-02

No antenna or similar structure shall be permitted between the front of a principal structure and the street, and in the case of corner lots, the side of a principal structure and the street. These provisions shall apply in the following zoning districts: D-1, R-1, R-2, R-3, TD, R-4, MH-1, MH-2 and C-1. In all zoning districts, such structure shall comply with all other yard and setback requirements. Antennas measuring over seventeen (17) feet above ground to the top of the antennas require approval of the board of appeals as a special exception.

SECTION 6-33 - MOBILE HOMES - MANUFACTURED HOUSING

1. Located on Individual Lots Outside Mobile Home Parks. All manufactured housing ~~for~~ mobile homes located on individual lots not within a mobile home park shall be placed on a permanent masonry foundation and meet all lot area and setback requirements for the district in which it is located.

2. Located in Mobile Home Parks. Mobile home parks shall be located in MH-1 zoning districts and shall conform to the following requirements:

- a. The park shall be no less than two (2) acres in size, and be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

b. The mobile home park shall conform to the requirements of the Rules and Regulations Governing Mobile Home Parks as established by the South Carolina Department of Health and Environmental Control.

c. Each mobile home park shall have a minimum area of five thousand (5,000) square feet set aside for a common open space; in the case of a park larger than the minimum two (2) acres or in the case of expansion of the park, five hundred (500) square feet of common open space shall be added for each mobile home unit after the twentieth (20th) unit.

d. All mobile home spaces shall include a paved, bricked, or other all weather dust proofed driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a street.

e. A buffer yard equivalent to buffer "D" shall be located along all property lines bounding the park.

f. Off-street parking, loading and other requirements shall conform to the standards set forth in Article Seven.

g. Signs located in MH-1 zoning districts shall conform to the requirements of Article Eight of this ordinance.

3. Located in Mobile Home Subdivisions. Mobile homes or manufactured housing to be located in MH-2 (mobile home subdivision districts) where the units are located on individually platted and owned lots shall conform to the lot size, setback and other requirements of the district and all other provisions of this ordinance. In addition, each unit shall be placed on a permanent masonry foundation.

ARTICLE SEVEN SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 7-1 - OFF-STREET PARKING REQUIREMENTS

Permanent off-street parking is required in all districts. Such parking shall be provided in the amount required by this section at the time of erection, alteration, enlargement, establishment or change in use of any building which would require additional off-street parking.

SECTION 7-2 - NUMBER OF PARKING SPACES REQUIRED

For each lot in any district the number of off-street parking spaces required under this article shall be as determined from Table 1 of Article 5-7. The spaces required will be rounded to the nearest whole number.

In any zoning district where general office or mixed uses are being proposed, the number of off-street parking spaces required shall be three and three tenths (3.3) spaces per one thousand (1,000) square feet of floor space.

SECTION 7-3 - REQUIRED IMPROVEMENTS

Off-street parking areas developed to meet minimum requirements of this section shall be within properly graded, marked and ~~improved~~ lots or within parking structures.

Properly graded
paved *Per S.C. Dept. of H-Ways Hand surface of marked*

SECTION 7-4 - DESIGN OF PARKING AREA

1. All off-street parking areas shall meet the following design requirements:
 - a. All off-street parking areas with the exception of parking areas for one (1) and two (2) - family detached dwellings shall be so designed that vehicles will not be required to back onto or maneuver in the public right-of-way;
 - b. The minimum size of one (1) parking space shall be nine (9) feet in width and twenty (20) feet in depth plus sufficient areas for access to and maneuvering for automobiles as set forth in the Transportation and Traffic Engineering Handbook.
 - c. If the off-street parking space required by this section cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four hundred (400) feet of the principal use; provided that the owner or authorized agent for the land upon which such remote parking is located shall restrict the use of such parking areas for parking only in connection with the use or structure of which such remote parking is provided, and that such restriction shall be recorded by a declaration of restrictions properly filed with the Register of Mesne Conveyances of Berkeley County, which may be released only by the written consent of the Mayor and Council of Moncks Corner. Remote parking for non-residential uses shall not be established in any residential district.
 - d. Twenty-five (25) percent of the required spaces may be designed for compact cars. Compact car spaces shall be a minimum of eight (8) feet wide and sixteen (16) feet long.

e. Handicapped parking spaces shall be provided as required by the building code.

2. Parking lots of over thirty (30) parking spaces shall comply with the following additional requirements.

a. Border Barricades. A rail, fence, curb or other continuous barricade sufficient to retain the parked vehicles completely within the property shall be provided, except at exit and access driveways. Appropriate screening shall be provided on all borders facing residential areas.

b. Entrances and Exits. The location and design of all entrances and exits shall be subject to the approval of the Highway District Traffic Engineer. No entrance or exit shall be within fifteen (15) feet of a lot in a residential zone.

c. Lighting. Lighting of the parking lot shall be provided. Any lighting shall be so arranged as to reflect light away from any residential area and not to adversely affect safe vision of drivers on the adjacent roads.

d. Drainage. The drainage on all parking lots shall conform with the city's storm drainage ordinances.

e. Landscaping for Parking Lots. Parking lots shall be separated from sidewalks, street, or alleys by an open space of at least five (5) feet between the parking area and the edge of the right-of-way. The area shall be landscaped with appropriate grass, ground cover, shrubs, and trees. Landscaped islands at least five (5) feet in width shall be introduced in all parking areas at intervals not exceeding every one-hundred (100) feet. A minimum of ten (10) percent of the total parking lot area shall be dedicated to landscaped areas.

f. Screening. Screening shall be provided on each side of a parking lot which faces a residential zone or an adjoining property used for residential purposes. The screening may consist of a wall, ornamental fence, evergreen plants and the like. Parking area screening shall meet the following criteria:

(1) It shall not be less than four (4) feet in height above the grade of the parking area;

(2) It shall not be placed where it would restrict a driver's sight distance entering or exiting the lot;

(3) It shall include a landscaped area at least five (5) feet in width; and

(4) It shall be maintained in good condition.

SECTION 7-5 - REDUCTION IN OFF-STREET PARKING REQUIREMENTS

1. **Reduction of Required Parking for Residential Facilities Intended for Occupancy by the Elderly.** The board of appeals may, as a special exception, after notice and hearing, and subject to appropriate safeguards and conditions, grant a reduction in off-street parking requirements of not more than fifty (50) percent of that generally required for such facilities, provided that adequate land is available for future expansion to accommodate the generally required amount of parking and that the site design of such reduced parking area will facilitate future expansion if such is required.
2. **Reduction of Required Off-Street Parking for Industrial, Processing, Storage, Warehousing, Distribution, or Wholesaling Uses.** The board of appeals may, as a special exception, after notice and hearing, and subject to appropriate safeguards, and conditions, grant a reduction of not more than fifty (50) percent in the amount of parking required for industrial, processing, storage, warehousing, distribution or wholesaling uses located in C-2, M-1 or M-2 districts if such action appears to be reasonably justified as based upon employment levels and characteristics of operation of such uses.
3. **Reduction of Required Off-Street Parking for Drive-In Facilities Other Than Eating and Drinking Establishments.** The board of appeals may, as a special exception, after notice and hearing, and subject to appropriate safeguards and conditions, grant a reduction of not more than fifty (50) percent in the generally required off-street parking for facilities offering drive-in service to customers or patrons provided that:
 - a. The applicant for such special exception demonstrates that the installation of drive-in facilities will reduce customer or patron parking requirements in direct ratio to the number of off-street parking spaces proposed to be eliminated.
 - b. That adequate off-street parking will remain to accommodate employees.

SECTION 7-6 - TRAVEL TRAILERS

Not more than one (1) travel or camping vehicle per dwelling unit shall be permitted to be parked on a lot in any residential zone; and the vehicle shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized mobile home park.

SECTION 7-7 - SHARED PARKING

Shared parking should be encouraged in mixed use developments which include at least two uses that have different parking demand peaking characteristics. The actual reduction for such a project should be determined through a comprehensive analysis of parking demands by time of day. The board of appeals may allow the shared parking reduction as a special

exception after submission of a study by the applicant which has been reviewed by the zoning administrator.

SECTION 7-8 - OFF-STREET LOADING REQUIREMENTS

Every building or structure hereafter erected and used for business, trade, or industry shall provide space as indicated herein for the loading and unloading of vehicles, with access to a public street or alley. Such space shall be so arranged that vehicles shall maneuver for loading and unloading entirely within the property lines of the premises. Off-street loading spaces shall meet the following requirements of size and number.

1. **Retail and Service Business.** One (1) space measuring ten (10) feet by twenty-five (25) feet with overhead clearance of fourteen (14) feet for each twenty thousand (20,000) square feet of gross floor area or fraction thereof.
2. **Wholesale and industrial Uses.** One (1) space measuring ten (10) feet by fifty (50) feet with fourteen (14) feet of overhead clearance, as follows:

<u>SQUARE FEET OF GROSS FLOOR AREA IN STRUCTURE</u>	<u>NUMBER OF BERTHS</u>
0 - 25,000	1
25,000 - 40,000	2
40,000 - 100,000	3
100,000 - 160,000	4
160,000 - 240,000	5
240,000 - 320,000	6
320,000 - 400,000	7
Each 90,000 above 400,000	1

3. **Bus and Truck Terminals.** Sufficient spaces to accommodate the maximum number of buses or trucks to be loading, unloading, or stored at the terminal at any one time.

SECTION 7-9 - CLUSTER HOUSING

It is the intent of this section to encourage the erection of cluster housing in areas appropriate to such use, subject to condition and safeguards which will promote the purposes of zoning and the comprehensive plan. In addition to, or in modification of, other applicable provisions and requirements the following provisions shall apply to cluster housing developments.

1. **Zoning Districts in Which Cluster Housing Developments are Allowed.**

a. Cluster housing developments containing only single family detached dwelling units are allowed in R-1, R-2 and R-3 zoning districts as permitted principal uses after approval of the final plat by the planning commission.

b. Cluster housing developments containing single family attached units are allowed in R-3 zoning districts as principal uses after approval of the final plat by the planning commission.

2. Design Standards. The following requirements are applicable to cluster housing developments. Note: These requirements are subdivision regulations requirements and are not subject to variance by the zoning board of appeals. The requirements are referenced in the zoning ordinance for the convenience of developers.

a. Minimum Parking Spaces. Two parking spaces per dwelling unit are required.

b. Minimum setback requirements from streets and exterior property lines of buildings in cluster housing developments in all zoning districts shall be as follows:

(1) From center of internal street: twenty-five (25) feet; and

(2) From exterior property line of development: ten (10) feet.

c. Street right-of-way in cluster housing developments may be counted in the gross land area for density purposes.

d. Minimum spacing between detached principal buildings.

Minimum with side.

ZONING DISTRICT	FRONT TO FRONT	FRONT TO SIDE	SIDE TO SIDE	REAR* TO FRONT	REAR TO SIDE	REAR TO REAR
R-1, R-2	35'	25'	10'	100'	10'	20'
R-3	25'	20'	6'	100'	10'	20'

* Rear to front minimum spacing may be reduced to fifty (50) feet if adequate buffer yard provisions are made as determined by the planning commission.

e. Other Lot Requirements. Notwithstanding other provisions of this ordinance, individual lots within cluster housing developments are not subject to minimum lot width, lot frontage or lot area requirements.

f. Minimum gross land area per dwelling unit for cluster housing developments. The minimum gross land area per dwelling unit for cluster housing developments is based

on requirements for the district in which it is located. The ^{gross} ~~gross~~ land area divided by the minimum lot size equals the maximum number of units allowed.

g. Minimum required common open space.

(1) Open space is defined as follows: That land area devoted to common use by all the homeowners, exclusive of parking areas, streets and street rights-of-way, which is designed to meet the primary objective of supplying open space for recreational needs.

MINIMUM COMMON OPEN SPACE

ZONING DISTRICT	PERCENT OF LAND IN OPENS SPACE TO TOTAL LOT AREA
R-1, R-2	30%
R-3	20%

(2) Maintenance of Open Space. Open space area designated for use by the residents of the cluster housing development as generated by the requirements in this ordinance shall be maintained in perpetuity and a document executed and recorded in the public records to that effect.

SECTION 7-10 - FLEXIBLE SITE DEVELOPMENT

The principal purposes of the Flexible Site Development concept are: (1) the more efficient use of land, as compared to the typical development; (2) the design of dwellings that integrate and relate internal-external living areas resulting in more pleasant and enjoyable living facilities; and (3) allowing flexible side yard setbacks, permitting the outdoor space to be consolidated and utilized to its maximum benefit.

1. Flexible Development Defined. A single family development approach in which buildings are sited to allow more flexibility in site design and to increase the amount of usable open space on the lot.

2. Zoning Districts in Which Flexible Site Developments are Allowed.

a. Detached dwelling units using flexible site development are allowed in R-1 and R-2 districts as a permitted principal use.

b. Attached dwelling units using flexible site development are allowed in R-3 districts as permitted uses.

3. Development Parameters.

a. All applications for a detached flexible site development shall comply with the following applicable development parameters.

(1) Uses Permitted. Detached one family dwellings on individually platted lots, including customary accessory uses not inconsistent therewith, shall be permitted. Garages, carports and utility storage structures shall be permitted accessory uses.

(2) Minimum Site Requirement. The lot adjacent to the side yard with no setback must be under the same ownership at the time of initial construction or the owner of the adjacent lot must record an agreement or a deed restriction and consent in writing to no setback and provide the required four (4) foot maintenance and drainage easement as specified in this ordinance.

b. All applications for an attached flexible site development shall comply with the following applicable development parameters.

(1) Uses Permitted. Attached and semi-detached one family dwellings on individually platted lots, including customary accessory uses not inconsistent therewith, shall be permitted. Garages, carports and utility storage structures shall be permitted accessory uses.

(2) Minimum Site Requirements. The lot proposed for flexible site development (semi-attached units) must be under the same ownership at the time of initial construction or the owner of adjacent properties must record an agreement or deed restriction and consent in writing to the development or no setback.

4. Minimum Lot Sizes. The minimum lot size shall be as specified in the zoning district in which the property is located.

5. Minimum Yard Requirement.

a. Interior Side Yard. The dwelling unit shall be placed on one interior side property line with no setback and the dwelling unit setback on the other interior side property line shall be a minimum of ten (10) feet. No structure shall be placed within easements required by this ordinance.

b. Front Setback. All dwelling structures shall conform to the requirements of the zoning district in which the property is located.

c. Rear Setback. The dwelling shall conform to the requirements of the zoning district in which the property is located.

- d. Side Setback. The dwelling setback shall be a minimum of ten (10) feet from the side street property line, and ten (10) feet opposite the lot line with no setback.
 - e. Accessory Buildings and Structures. Accessory buildings and structures shall observe the setback requirements of the zoning district in which the property is located.
- 6. Street Frontage. Each lot shall have a clear, direct frontage on streets meeting city subdivision regulation requirements or on existing publicly maintained city streets.
 - 7. Maximum Lot Coverage Permitted. The total lot coverage permitted for all buildings on the site shall conform to the requirements of the district in which the property is located.
 - 8. Platting Requirements. Each dwelling shall be located on its own individual platted lot. The plat shall indicate the lot lines and easements appurtenant thereto.
 - 9. Building Heights. The maximum building height shall conform to the requirements of the district in which the property is located.
 - 10. Openings Prohibited on the Lot Line With No Setback. The wall of the dwelling located on the lot line with no setback shall have no windows, doors, air conditioning units, or any other type openings. An atrium or court shall be permitted on the lot line with no setback when the court or atrium is enclosed by three (3) walls of the dwelling unit and a solid wall of at least eight (8) feet in height is provided. Said wall shall be constructed of the same material as exterior walls of the unit.
 - 11. Maintenance and Drainage Easements. A perpetual four (4) foot wall maintenance easement shall be provided on the lot adjacent to the property line with no setback which shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to property. Roof overhangs may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is limited to the easement area and is controlled by gutters or other approved methods.
 - 12. Parking. A minimum of two (2) parking spaces shall be provided on each platted lot.
 - 13. Requirements Concerning Review and Approval. The zoning administrator shall issue no zoning permit for the erection of any flexible site development improvements until he has reviewed the lot site plans and documents required to be submitted therewith and has determined their conformity with the provisions, intent and purposes of this section.

14. Other Requirements Concerning Drainage, Building Code and Zoning.

- a. Building Code. Where attached units are built, the wall of the units must be constructed to meet city building code requirements for fire proofing and soundproofing.
- b. Drainage. The unit must be designed so that water runoff is controlled by gutters or other approved material and is limited to the easement area.
- c. Zoning.
 - (1) If a unit with no setback is proposed for a lot adjacent to a lot that has an existing structure, the minimum setback of the existing unit must be at least ten (10) feet from the side property line proposed for no setback.
 - (2) If the lot adjacent to a lot line with no setback is undeveloped, the easement must leave adequate width to have a building site which meets all setback requirements for the district.

SECTION 7-11 - PLANNED DEVELOPMENT

Planned Developments will be designed in accordance with the following provisions.

1. Permitted Principal Uses and Structures. Permitted principal uses and structures vary with increasing size and are different for PD-R and PD-C districts. Where uses for more than one (1) district are permitted, the uses of the less restrictive district shall be permitted. Permitted principal uses and structures for various site sizes and types of PD districts are as follows:

SITE SIZE IN ACRES	PD-R USES PERMITTED AS FOR THE FOLLOWING DISTRICTS	PD-C USES PERMITTED AS FOR THE FOLLOWING DISTRICTS
4 but less than 8	R-3, C-1	C-1, C-2, C-3
8 or more	R-3, C-1, C-2	C-1, C-2, C-3, R-3

2. Maximum Area of Commercial Uses in PD-R Districts. In PD-R districts in which commercial uses are permitted, the total gross floor area of such commercial or industrial uses shall not exceed the percentages listed below as related to gross floor area of all structures within the PD at any time. In addition, in PD-R districts in which commercial or industrial uses are permitted, the area of land devoted to such uses, including land coverage of structures, parking, and related characteristics and accessory uses thereto, shall not exceed the percentage listed below as related to total PD site size at any time.

MAXIMUM PERCENTAGE OF GROSS
FLOOR AREA AND MAXIMUM
PERCENTAGE OF SITE AREA FOR
COMMERCIAL STRUCTURES AND USES

TOTAL PD SITE
SIZE IN ACRES

less than 15	20
15 or more	30

3. Permitted Accessory Uses and Structures. Accessory uses and structures shall be permitted as for the least restrictive districts indicated in Subsection (1) above, for any specific site size.
4. Permitted Special Exceptions. No special exception actions are required to establish any specific use. Uses and structures permitted in the least restrictive districts indicated in Subsection (1) above, for any specific size are permitted outright.
5. Minimum Lot Area. No minimum lot area is required for any specific structure, however, minimum site size to accommodate specific uses shall be as listed in Subsection (1) above.
6. Height and Area Regulations. Minimum setbacks, minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not regulated within PD districts, provided however, that the planning commission and city council shall ascertain that the characteristics of building siting as shown on the development plan shall be appropriate as related to structures within the planned development and otherwise fulfill the intent of this ordinance.
7. Off-street Parking and Loading. Off-street parking and loading requirements as set forth in this ordinance shall be met for each use within the Planned Development.
8. Signs. Signs are permitted in PD's only in accordance with provisions of the "Regulation of Signs" section of this ordinance.
9. Administrative Application and Review Procedures.
 - a. General. The establishment of a PD district shall be by amendment to the zoning map accompanied by certain sureties that the development will be in harmony with the intent of this ordinance and that the public interest in adequate site design, access, and community facilities and amenities will be defended.

Application for amendment to establish a district shall be subject to the provision of this ordinance governing zoning amendments and in addition, the procedures described below shall apply. It is the intent of this ordinance that the public interest will be served not only by consideration of those specific criteria set forth herein, but also by consideration of the total anticipated effect of the planned development upon the community at large. The provisions of the PD district represent a relaxation of specific site design requirements as applied to other districts herein, and in return for the design flexibility granted thereby, the applicant for amendment to PD district classification, by requesting the PD designation and making application therefore shall agree to furnish information about the proposed development, and later to abide by certain conditions and safeguards as may be imposed by the city council in establishing such developments.

b. Preapplication Conference. The applicant is encouraged to communicate his intentions to establish a planned development and the proposed characteristics thereof, to the planning commission prior to initiating an application for amendment in order to avoid undue delay in the review process after initiating such application, and in order to facilitate review of materials which may be in preliminary form, and in order to avoid unnecessary expense in preparation of materials in final form which may later be found to be unacceptable or incomplete.

c. Application for Amendments. The applicant shall make application for an amendment to PD classification.

d. Site Development Plans to be Submitted to Planning Commission for Review. The applicant shall submit site development plans to the planning commission for review which shall indicate the proposed uses of all land areas, and in addition shall indicate such other information as may be deemed reasonably appropriate for planning commission review.

e. Descriptive Statement to be Submitted to Planning Commission for Review. The applicant shall also submit a descriptive statement indicating the characteristics and standards to be followed in developing the proposed planned development. The descriptive statement shall generally include, but not be limited to the following:

- (1) legal description of proposed development boundaries;
- (2) total number of acres in the development area;
- (3) number of acres devoted to residential, commercial, industrial and other non-residential uses to reflect requirements of Subsection (2) above;
- (4) number of dwelling units of various types and overall density thereof;

(5) number of off-street parking and loading spaces as needed to meet requirements of individual buildings;

(6) if commercial development is proposed, indication of economic feasibility and justification for size of facilities;

(7) description of open space uses and areas proposed, adequacy thereof to serve anticipated demand, and if dedication of open space is proposed, procedures and conditions thereof;

(8) if a homeowners' association or other group maintenance or group ownership features are to be included, a description of the proposed procedures and operation thereof;

(9) an outline of development phasing indicating the timing of development of all proposed facilities, and justification of development phasing with respect to non-residential facilities in relation to residential facilities;

(10) design standards, administrative procedures and other characteristics which will guarantee the development of the project as an integrated, functionally operable, well-planned whole; and

(11) other such information or descriptions as may be deemed reasonably appropriate for planning commission review.

f. Planning Commission Recommendation. The planning commission shall make a recommendation upon the proposed zoning amendment.

g. City Council Approval. The city council may act to either approve or disapprove the application for amendment.

h. Issuance of Zoning or Building Permits. The zoning administrator shall not issue any zoning permit or certificate of occupancy, and the building official shall not issue any building permit for work to commerce within and PD district until the applicant for amendment which established such district shall have:

(1) filed with the city clerk and recorded, with the Register of Mesne Conveyances of Berkeley County, plats showing all proposed features of the planned unit development as approved by the city council which approval shall be certified by the city clerk;

(2) completed any necessary agreements with the city so that the city may become a party to deed restrictions and other restrictive covenants related to the

planned development and recorded such agreement with the city clerk and with the Register of Mesne Conveyances of Berkeley County.

(3) recorded with the Register of Mesne Conveyances of Berkeley County, all required deed restrictions or other restrictive covenants as required by the city council upon approval of the amendment establishing the planned development district;

(4) recorded, with the city clerk and with the Register of Mesne Conveyances of Berkeley County, the descriptive statement as approved by city council setting forth and committing the developer to certain design standards, development phasing schedules and other pertinent matters;

(5) completed the posting of a bond or giving of other surety that adequate progress will be made in developing the project as may be required.

i. The site development plan as approved by the city council in establishing the PD district shall be the zoning district map for the PD and this shall be the basis for issuance of zoning permits and building permits for construction of buildings in the PD.

10. Changes of Plans for PD's. Changes which do not require changes of the boundaries of an established PD district or establishment of a new PD district are not considered amendments of the zoning ordinance. Any change in boundary of such PD district shall be accomplished only by following procedures as set forth for zoning amendments. Changes in the approved characteristics or agreements relating to a PD district, but not involving change in the boundary thereof shall be classified as either major changes or minor changes and shall be approved or disapproved as follows:

a. Minor Changes. Revision of minor characteristics of the planned development, such as relocation of driveways or revision of floor plans of specific structures, may be authorized by the planning commission, provided that such authority is granted to the planning commission by the approved and recorded descriptive statement concerning development of the planned district. If the planning commission fails to approve a request for a minor change, the developer or other party at interest may then seek a change by the regular amendment process as outlined below for major changes.

b. Major Changes. Major changes which materially affect the characteristics of the planned development shall follow the same procedural requirements as for the amendment originally establishing the planned district, including planning commission review, public hearing, and city council determination.

c. It shall be the duty of the zoning administrator to determine whether any specific request shall be considered a major change or a minor change; provided however, that

the applicant for change shall have the right to have any request for change processed as a major change.

d. The zoning administrator shall issue no zoning permit or certificate of occupancy and the building official shall issue no building permit in connection with any action related to such changes until such changes have been duly recorded as for the original documents recorded as set forth above.

11. Failure to Begin, Failure to Complete, or Failure to Make Progress. The descriptive statement as approved by city council and duly recorded shall set forth the development for the project including phasing of development of non-residential uses in relationship to residential use. The city council may require the posting of a bond with a corporate surety to guarantee that the schedule as set forth in the descriptive statement will be materially adhered to in order to guarantee construction of streets, utilities, and other facilities and amenities or to allow for rectification of improper development characteristics such as failure to develop areas designated as common open spaces. If there is failure to begin, or failure to complete, or failure to make adequate progress as agreed in the descriptive statement, the city council may enforce and collect upon such bonds or sureties as described above, or may rezone the planned development district and thus terminate the right of the applicant to continue development, or may initiate action to charge the developers with specific violation of the zoning ordinance subject to the penalties set forth or any appropriate combination of the above remedies may be taken. If the planned development is not initiated within two years of its establishment, the planning commission shall initiate the rezoning of the property to an appropriate zoning district classification.

12. Terms of this Section to Prevail. In case of any conflict of the terms of this Section with terms of other sections of this ordinance, the terms of this section shall prevail.

SECTION 7-12 - -AP AIRPORT HEIGHT RESTRICTIVE AREAS

1. Definitions.

a. Airport. Berkeley County Airport.

b. Airport Elevation. The highest point of the airport's usable landing area measured in feet above mean sea level (70.0).

c. Airport Surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Subsection d of this Section.

- d. Approach Zone. The inner edge approach zone coincides with the width of the primary surface and begins two hundred (200) feet from the runway end and is two hundred fifty (250) feet wide. The approach zone expands outward uniformly to a width of twelve hundred fifty (1,250) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- e. Conical Surface. A surface extending outward from the periphery of the horizontal surface at a slope of twenty-to-one (20-to-1) for a horizontal distance of four thousand (4,000) feet.
- f. Conical Zone. The conical zone is established on the area that commences at the periphery of the horizontal zone and extends outward therefrom for a distance of four thousand (4,000) feet and upward at a slope of twenty-to-one (20:1).
- g. Hazard to Navigation. An obstruction determined to have a substantial adverse effect on the safety and efficient utilization of the navigable airspace.
- h. Height. For the purpose of determining the height limits in all zones set forth in this section and shown on the zoning map, "the datum" shall mean sea level elevation unless otherwise specified.
- i. Horizontal Surface. A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plane coincided with the perimeter of the horizontal zone.
- j. Horizontal Zone. The horizontal zone is established by swinging arcs of five thousand (5,000) feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- k. Obstruction. Any structure, growth or other object, including a mobile object, which exceeds a limited height set forth in Subsection 2 of this section.
- l. Primary Surface. A surface longitudinally centered on a runway. The primary surface extends two hundred (200) feet beyond each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line. The width of the primary surface is two hundred fifty (250) feet.
- m. Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

2. Location of Buffer Yards. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffer yards shall not be located on any portion of an existing public or private street or right-of-way. Buffer yards shall be required in all zoning districts.

3. Determination of Buffer Yard Requirements. To determine the buffer yard required between two adjacent parcels or between a parcel and a street (see Table 3), the following procedure shall be followed:

- a. Identify the proposed land use.
- b. Identify the use of land adjacent to the proposed use.
- c. Determine the buffer yard required on each boundary (or segment thereof) of the subject parcel by referring to the following table of buffer yard requirements, and illustrations which specify the buffer yard required between streets and adjacent land uses.

The letter designations contained in Table 3 refer to the type of buffer yard specified by the illustrations contained in this section.

- d. Any of the several options contained in the illustrations shall satisfy the requirement of buffering between adjacent land uses and streets.

4. Buffer Yard, Change of Use. When a building or use of land is changed to a more intense use, the buffer yard shall be increased if necessary to meet the requirements for buffer yards between the new use and existing adjacent uses.

5. Buffer Yard Specifications. The following illustrations graphically indicate the specifications of each buffer yard (see Illustrations A-G). The requirements are stated in terms of the width of the buffer yard and the number of plants required per 100 feet of buffer yard. The requirements of a buffer yard may be satisfied by any one of the options illustrated. The "plant unit multiplier" is a factor by which the basic number of plant materials required for a given buffer yard is determined given a change in the width of that yard. The type and quality of plant materials required by each buffer yard and each buffer yard option are specified by the following illustrations. Each illustration depicts the total buffer yard located between two uses. Whenever a wall, fence or berm is required within a buffer yard, these are shown as "structures" in the following illustrations wherein their respective specifications are also shown.

TABLE 3
BUFFER YARD REQUIREMENTS

Proposed Land Use	Single Family	Duplexes	Multi- Family	Commercial / Institutional	Existing Land Use			All 2 Other
					Industrial	Vacant	Street	
Single Family detached dwelling	*	*	*	*	*	*	*	*
Two family detached dwelling (duplexes)	A	*	*	*	*	*	*	*
Multi-family 3	D	C	B	B	B	D/B	D/B	D/B
Commercial/institutional 3	D	D	D	*	*	D/*	D/*	C/*
Industrial	E	E	E	*	*	E/*	D/*	D/*

1. Use first letter if property is zoned residentially; if other zoning, use second letter.
2. Use first letter if land across street is used or zoned residentially; if other use or zoning, use second letter.
3. if building over 2.5 feet or two stories, buffer must be increased by one category.

* No buffer required.

- a. The exact placement of required plants and structure shall be the decision of the developer except that evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival.
 - b. All buffer yard areas shall be seeded with lawn grass or suitable ground cover.
6. Buffer Yard Substitutions. The following plant material substitutions shall satisfy the requirements of this ordinance.
- a. Evergreen canopy or evergreen understory trees may be substituted as follows;
 - (1) In the case of deciduous canopy forest trees, up to a maximum of fifty (50) percent of the total number of canopy trees otherwise required;
 - (2) Evergreen canopy or evergreen understory trees may be substituted for deciduous understory trees and deciduous shrubs, without limitations.
 - b. In all buffer yards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.
 - c. Any existing plant material which otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.
 - d. Structures, where required, may be substituted with approval of the zoning administrator.
7. Use of Buffer Yards. A buffer yard may be used for passive recreation; however, no plant material may be removed.
8. Buffer Yard Part of Required Yards. Where front, side and rear yards are required by this ordinance, buffer yards may be established within such required yards.
9. Plant Material Specifications. The following list of plants shall be used to satisfy the requirements of this ordinance. These plants are intended to be a guide and others may be allowed upon the determination of the zoning administrator, or his designated representative, that the substitution will produce the desired screening.

Canopy Trees

Red Maple	Kentucky Coffeetree	Pin Oak
Bitternut Hickory	White Poplar	English Oak
Shagbark Hickory	Sugar Maple	Black Oak
Black Cherry	Sawtooth Oak	Tuliptree
American Beech	Swamp White Oak	Willow Oak
White Ash	Southern Red Oak	Chinese Oak

Green Ash
Thornless Honeylocust

Scarlet Oak
Common Honeylocust

Pecan
Chinkapin Oak

Evergreens

Eastern Red Cedar
Japanese Black Pine
American Arborvitae
American Holly
Dahoon Holly

Southern Magnolia
Loblolly Pine
Hemlock
Deodar Cedar
Chinese Photinia

Understory Trees

Hedge Maple
Amur Maple
Paper Bark Maple
Ohio Buckeye
Common Alder
River Birch
American Hornbeam
Japanese Katsuratree
White Fringetree

Flowering Dogwood
Cornelian Cherry
Cockspur Hawthorn
Downy Hawthorn
Washington Hawthorn
Dotted Hawthorn
Spicebush
Saucer Magnolia
Crab Apples

White Mulberry
Ironwood
American Plum
Common Pear
Eastern Redbud
Golden Raintree
Crepe Myrtle
Sourwood
Bradford Pear
Weeping Willow

Shrubs

Japanese Hollies
Oregon Holly Grape
Japanese Flowering Quince
Rockspray Cotoneaster
Winter Jasmine
Glossy Abelia
Aucuba
Glen Dale Azalea
Karume Azalea
Wintergreen Barberry
Rotunda Holly

Dwarf Yaupon Holly
Flowering Jasmine
Junipers
Mahonia
Nandina
Mugo Pine
Oakleaf Hydrangea
Spireas
Camillia Sasanqua
Cleyera
Eleagnus

Fosteri Holly
Burford Holly
Lipustrum
Tea Olive
Redtip Photinia
Pyracantha
Schiplaulre
Viburnums
Sweetshrups
Euonymus
Forsynthia

10. Minimum Plant Size. Unless otherwise specifically indicated elsewhere in this ordinance, all plant materials shall meet the following minimum size standards:

PLANT MATERIAL TYPE	PLANTING IN BUFFERING ABUTTING VACANT LANDS	ALL OTHER PLANTING
Canopy Tree		
Single Stem	1 1/2 inch caliper	2 1/2 inch caliper
Multi-Stem	6 feet (height)	10 feet (height)

Understory Tree	4 feet (height)	1 1/2 inch (caliper)
Evergreen Tree	3 feet (height)	5 feet (height)
Shrub		
Deciduous	15 inches (height)	24 inches (height)
Evergreen	12 inches (height)	18 inches (height)

11. Requirements for Maintaining Buffers

a. Responsibility. The responsibility for maintenance of a required buffer shall remain with the owner of the property. Maintenance is required in order to ensure the proper functioning of a buffer as a landscaped area which reduces or eliminates nuisance and/or conflict. The owner shall be responsible for installing live, healthy plants. Replacement plants shall be provided for any required plants which die or are removed.

b. Maintenance. Maintenance shall consist of mowing, removal of litter, dead plant materials, and necessary pruning. Natural water courses within a buffer shall be maintained as free-flowing and free of debris. Stream channels shall be maintained so as not to alter floodplain areas.

Water shall be supplied to each individual planting area.

Where pedestrian or bicycle trails are allowed within a buffer, these trails shall be maintained to provide for their safe use. Such maintenance shall include pruning of plants to remove obstructions, removal of dead plant materials, litter, or other hazards.

c. Failure to Maintain. Failure to maintain shall be considered violation of the zoning ordinance.

BUFFER A

MULTIPLIER

MULTIPLIER

STRUCTU
REQUIRES

REQUIRED PLANT UNITS/100'

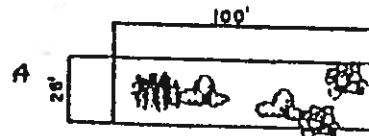
- 2 Canopy Trees
- 2 Understory Trees
- 3 Shrubs
- Evergreens/Conifers



BUFFER B

REQUIRED PLANT UNITS/100'

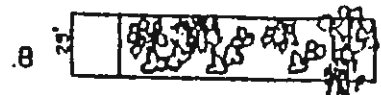
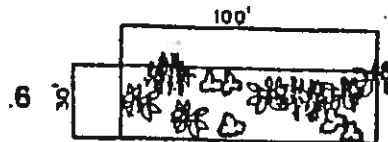
- 1 Canopy Trees
- 2 Understory Trees
- 3 Shrubs
- Evergreens/Conifers



BUFFER C

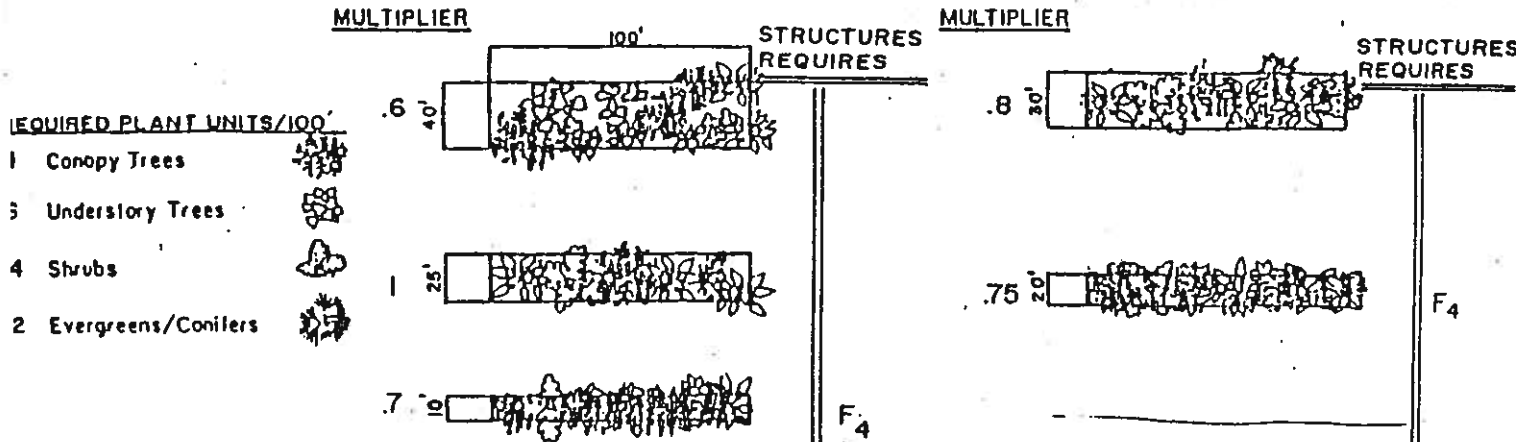
REQUIRED PLANT UNITS/100'

- 3 Canopy Trees
- 6 Understory Trees
- 9 Shrubs
- Evergreens/Conifers

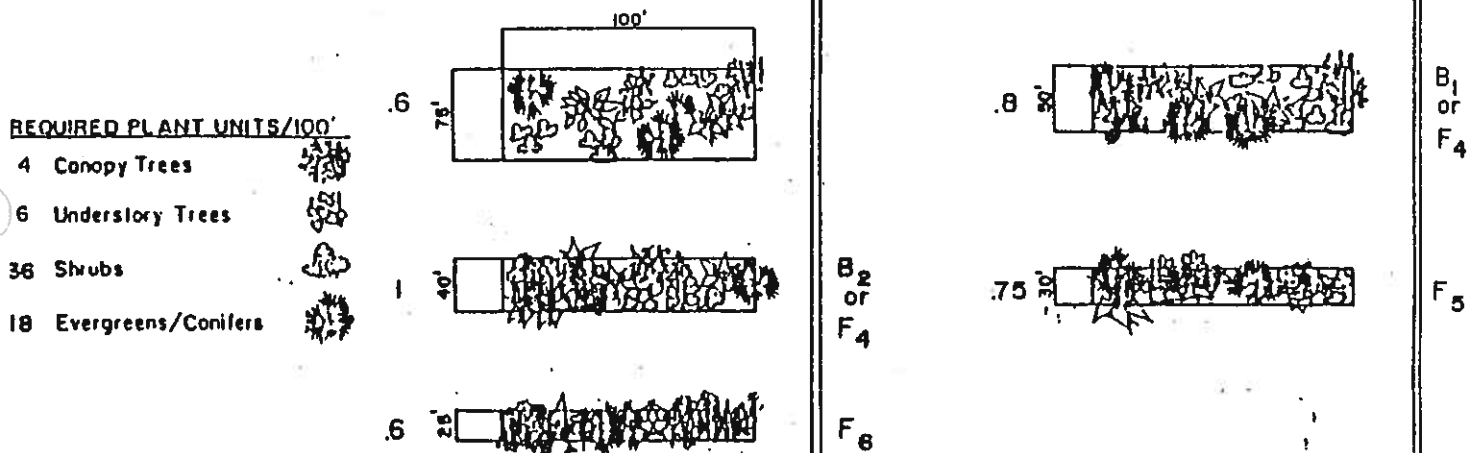


F3
or
H

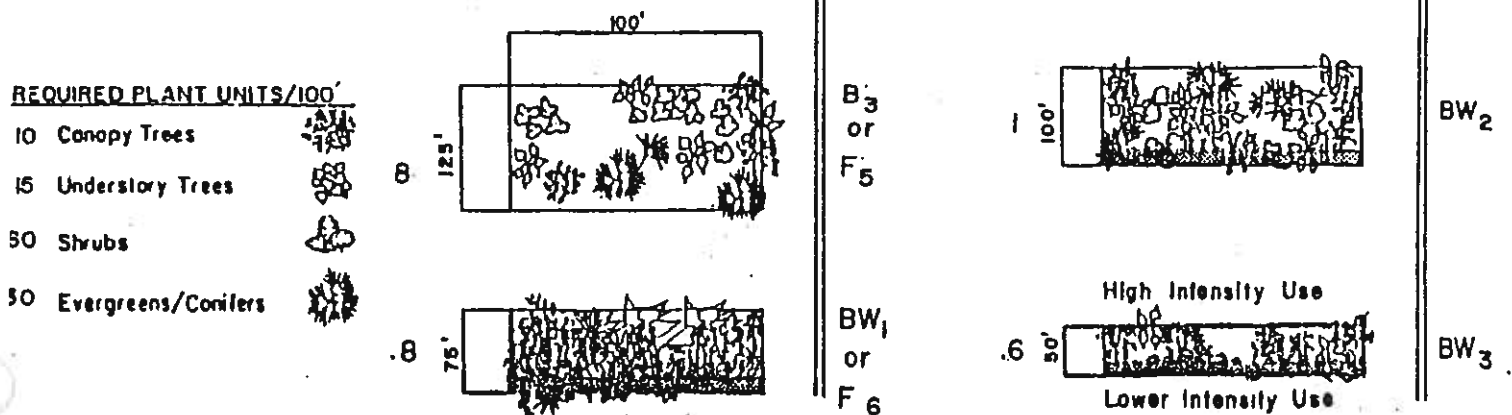
BUFFER D



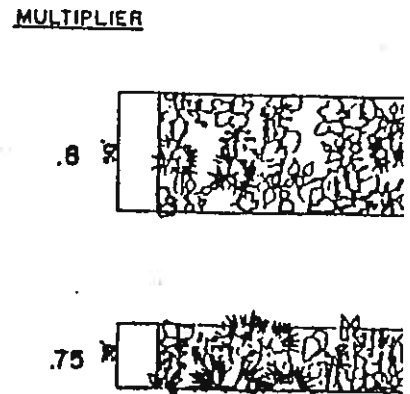
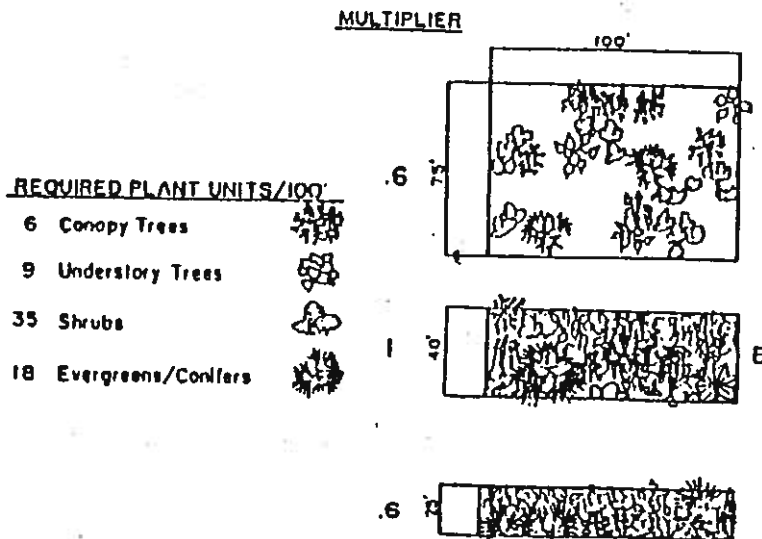
BUFFER E



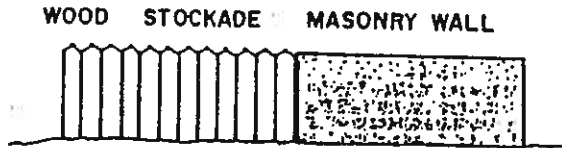
BUFFER F



BUFFER G



FENCES



SYMBOL	HEIGHT	MATERIAL
F ₁	6'	Wood
F ₄	8'	Wood
F ₆	6'	Masonry
F ₈	8'	Masonry

STRUCTURES

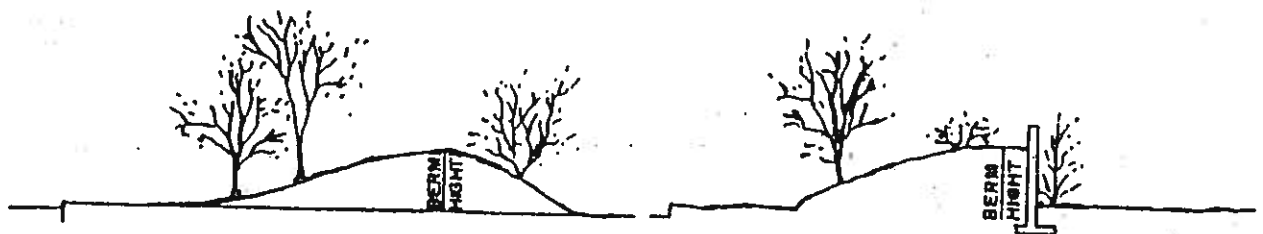
HEDGES



SYMBOL	HEIGHT	PLANT
H	6'	Refer to Approved Species List

Berms

Berm Walls



SYMBOL	HIGHT	MATERIAL
B ₁	4'	EARTH
B ₂	5'	EARTH
B ₃	6'	EARTH

SYMBOL	HIGHT
BW ₁	4' BERM W/6' MASONRY WAL
BW ₂	5' BERM W/7' MASONRY WAL
BW ₃	6' BERM W/8' MASONRY WAL

SECTION 7-5 - HOME OCCUPATIONS

Occupations, professions, or trades customarily carried on by occupants of dwelling units as secondary uses which are clearly incidental to use of dwelling units for residential purposes are allowed as accessory uses in districts where dwelling units are permitted or permissible, subject to the following provisions; provided however, contractor offices, barber shops, and beauty shops are classified as special exceptions which must be approved by the zoning board of appeals.

1. No one other than members of a family residing on the premises shall be engaged in the occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
3. There shall be no sign or change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation to include the parking of more than one commercial vehicle on the premises.
4. The home occupation shall be conducted only within the principal structure.
5. There shall be no sales of merchandise on the premises in connection with the home occupation.
6. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard.
7. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;
8. No outdoor storage shall be allowed in connection with any home occupation.

TOWN OF MONCKS CORNER

ORDINANCE NO. 2001 - 11

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE
OF THE TOWN OF MONCKS CORNER

COPY

BE IT ENACTED by the Governing Body of the Town of Moncks Corner and Council duly assembled and by the authority of same that the Official Zoning Ordinance of the Town of Moncks Corner is herein amended by changing Section 8 to read as follows:

SECTION 8-1 - DEFINITIONS

In addition to the definitions set forth in Article Two of this ordinance the following definitions relate to signs:

1. Display. Inventory that is intended for immediate sale and used on a temporary or permanent basis as provided in this ordinance. Freestanding, portable, and mobile signs are not considered displays.
2. Display Surface Area. That area of a sign including the entire area within a regular geometric shape or combination of regular geometric shapes enclosing all of the elements of information or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information or meaning. Frames or structural members not bearing informational or representational matter shall not be included in computation of display surface area. Only one (1) side of a double-faced sign shall be included in calculating the display surface area.
3. Marquee. A permanent roofed structure attached to and supported by a building.
4. Sign. Any device designed to inform or attract the attention of persons not on the premises on which the device is located, including signs defined below as mobile signs and portable signs
5. Sign, Advertising. Any sign which relates its subject matter to products, accommodations, services, or activities sold or offered elsewhere than upon the premises on which the sign is located. Mobile signs and portable signs may be advertising signs, and advertising signs include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.
6. Sign, Business. Any sign, which relates in its subject matter to the premises on which it is located, or to products, accommodations, services or activities offered, sold, or engaged in on the premises. Mobile signs and portable signs may be business signs, but billboards or advertising signs as defined in subsection 4 above, are not business signs.
7. Sign, Copy. All words, letters, numbers, figures, characters, art, works, symbols, or insignia that are used on a display surface area.
8. Sign, Freestanding. A sign which is permanently affixed to the ground and which is not a part of a building or other structure.
9. Sign, Mobile. A sign which may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a "portable" sign in that it may be equipped for transporting by motor vehicle or other mechanical means and including signs referred to as

trailer signs. Those signs may be considered as either business signs or advertising signs according to their utilization. Any mobile sign used on the same lot for more than 45 days per year will be considered a freestanding sign.

10. Sign, Portable. A sign, which is movable by a person without aid of a motor vehicle or other mechanical equipment. Those signs may be considered as either business signs or advertising signs, according to their utilization.

11. Sign, Projecting. Any sign, other than a "wall sign", which projects from and is supported by a building.

12. Sign, Wall. Any sign attached flat and parallel to the exterior wall or surface of a building or other structure and which projects not more than twenty four (24) inches from that wall or surface.

SECTION 8-2 - GENERAL PROVISIONS

1. Condition. All signs shall be constructed of durable materials, maintained in sound structural condition and not become dilapidated or unsightly.
2. A sign permit is required for the erection, alteration, or reconstruction of any sign unless otherwise noted herein, and shall be issued by the Zoning Administrator or authorized agent in accordance with Section 9-3 of this Ordinance.

SECTION 8-3 - PROHIBITED SIGNS

1. Signs Imitating Traffic or Emergency Signals. No sign shall be permitted which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights or resembling the color, size, shape or order of lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles, except as part of a permitted private or public traffic control sign.
2. Signs Employing Confusing, Distracting or Intense Illumination. No sign shall be permitted which utilizes flashing (strobe type) lights, scrolling marquee, flashing or blinking lights, any type of pulsating or moving light which may impair the vision, or confuse, distract, or unduly divert the attention of drivers of vehicles.
3. Signs Employing Confusing Motion. No sign shall be permitted which moves or presents the illusion of movement in any manner which may confuse, distract, or unduly divert the attention of vehicles.
4. Signs Within Street or Highway Rights-of-Way. Except as herein provided, no sign whatsoever, whether temporary or permanent except traffic signs, signals and information signs erected by a public agency, is permitted within any street or highway right-of-way. Signs within a street or highway right-of-way are subject to removal by the Zoning Administrator. This includes all streets within the Town and is pursuant to State Law; SECTION 57-25-10. It is unlawful for a person to display, place, or affix a sign within a right-of-way.
5. Certain Attached and Painted Signs. Signs painted on or attached to trees, fence posts, and telephone or other utility poles or signs painted on, or attached to, rocks or other natural features or painted on the roofs of buildings are prohibited.
6. Roof Signs. Roof signs are prohibited, however, for the purposes of this ordinance, a sign mounted onto or attached to a mansard roof shall be considered a wall sign, provided the sign is located beneath the top of the mansard roof.

SECTION 8-4 SIGNS FOR WHICH A PERMIT IS NOT REQUIRED

Non-illuminated signs may be erected in any district in addition to signs permitted otherwise subject to the following provisions:

1. Temporary Subdivision Signs. Temporary signs announcing a land subdivision development may be erected on the premises of the land subdivision, provided that those signs do not exceed fifty (50) square feet in area, are set back at least twenty (20) feet from any property line, are spaced at least five hundred (500) feet apart, and are removed not less than thirty (30) days from such time as seventy percent of the lots are conveyed.
2. Craftsmen's Signs. Signs of craftsmen, artisans, house painters, contractors or subcontractors may be erected and maintained during the period that those persons are performing repair, remodeling, repainting or improvement work on the premise son which those signs are erected, provided that the size of those signs is not in excess of twelve (12) square feet and that those signs are removed immediately upon completion of the work.
3. Contractor's Signs on Building Under Construction. One (1) sign displaying the names of the builder, contractors, architects, engineers, and similar information is permitted upon the premises of any work under construction or any work of major repair or improvement, provided that the sign does not exceed sixty (60) square feet in area and the sign is removed within (7) days after completing that work.
4. Real Estate Signs. One sign per street frontage offering real estate for sale, rent or lease provided that the display surface area of each sign does not exceed ten (10) square feet for residential property and forty eight (48) square feet for multi family, commercial and industrial property. The sign must be located on the same property that is advertised for sale, rent or lease.
5. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
6. Flags and insignia of any government except when displayed in connection with commercial promotion
7. Legal Notices, identification, information, or directional signs erected or required by governmental bodies.
8. Integral decorative or architectural features of buildings except letters trademarks, moving parts, or moving lights.
9. One permitted home occupation sign, provided it is non-illuminated. The sign is to be no larger than four (4) square feet, and shall be mounted against a wall of the principal building.
10. Entrance, exit and instructional signs, so long as they do not exceed four (4) square feet in area, are no higher than three (3) feet above the pavement or ground level, and contain no advertisement.
11. Signs attached or integrated into a gasoline pump, automatic bank teller machine, or drive-thru component of a fast food restaurant, which give operational instructions to users, the price of the product, and the brand name of the product or descriptive information about the product.
12. Awnings: Awning or canopy structure projecting from the wall of any building or structure. Awnings must be at least eight feet above sidewalk level and fourteen feet above vehicle accessible frontages. Awnings must not exceed six and one-half (6 1/2) feet from the surface of

the attached wall and may be no closer than eighteen (18) inches to a vertical plane at the street curb line.

SECTION 8-5 REGULATIONS APPLYING TO SPECIFIED TYPES OF SIGNS

1. **Wall Signs:** Signs on the walls of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements. In no case shall signs project beyond property lines, except that signs may project over public sidewalks in Commercial Districts that allow zero lot line development, provided that the minimum height above grade or sidewalk level of such signs shall be no less than ten (10) feet.
 - a. **Signs on the Front Surface of a Building:** The total area of signs on the exterior front surface of a building shall not exceed twenty (20) percent of the front surface of the building, so long as the total area of all signs does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located.
 - b. **Signs on the Side and Rear Surface of a Building:** The total area of signs on a side or rear surface of a building shall not exceed twenty-five (25) percent of the exterior side or rear surface of the building respectively, so long as the total area of all signs on the parcel does not exceed the total amount of sign area permitted within the Zoning District in which the sign or signs are to be located.
 - c. **Projecting Signs:** Wall signs attached flat against a wall may extend not more than twenty-four (24) inches from the wall. Signs projecting from a wall may extend outward from the wall of a building not more than six and one-half (6-1/2) feet and may be located not closer than eighteen (18) inches to a vertical plane at the street curb line. A projecting sign shall not extend above the roof line more than five (5) feet.
 - d. **Awning Signs:** Signs attached, hanging from, painted, or otherwise inscribed upon an awning or canopy structure must be at least eight feet above sidewalk level and fourteen feet above vehicle accessible frontages. Awning signs must not exceed six and one-half (6-1/2) feet from the surface of the attached wall and may be no closer than eighteen (18) inches to a vertical plane at the street curb line.
2. **Subdivision Entrance Signs,** to indicate the name of a residential subdivision development, are permitted at each entrance to a subdivision. Such signs shall be set back not less than ten (10) feet from the right-of-way of any street

or from any boundary line of the subdivision. Such signs may be put in place upon the initiation of lot sales within a subdivision and may remain in place for as long as the sign is maintained, including after all lots are sold. Each such sign shall have a copy area of not in excess of forty (40) square feet and shall have a maximum height of eight (8) feet above the ground. If two (2) signs are located at a subdivision entrance, the maximum combined copy area shall be forty (40) square feet. If a subdivision sign is to be illuminated, only indirect lighting shall be permitted, and only one (1) color of illumination shall be permitted. Portable and mobile signs are prohibited for use as subdivision signs.

3. **Private Directional Signs:** Signs indicating the location and direction of premises available for sale, or in the process of development, but not erected upon such premises, may be erected and maintained, provided: The size of any such sign is not in excess of six (6) square feet in area, and not in excess of four (4) feet in length. Written permission for the temporary rights to the appropriate land is obtained from any or all owners of such land, whether public or private, prior to the erection of such a sign. Not more than one (1) such sign is erected along each five hundred (500) feet of street frontage.

3. **Freestanding, Portable and Mobile Signs:** Such free standing or detached signs shall be set back not less than ten (10) feet from any street right-of-way line. Signs may be placed less than ten feet to the right of way provided they do not obstruct vision between a height of four (4) feet and a height of eight (8) feet measured vertically from the finished ground level at the location of the signs supporting structure, and further provided that such signs shall not be erected in a manner which materially impedes visibility of moving automobiles or visibility from moving automobiles on or off the premises or visibility of pedestrians on or off the premises.

Portable and mobile signs are subject to all regulations, restrictions, and specifications included in this ordinance. Portable and mobile signs are subject to the same regulations as all other free standing or detached signs.

4. **Election Campaign Signs:** Election campaign signs are permitted in the Town of Moncks Corner, subject to the following conditions: An election campaign sign shall be permitted upon the qualification of a candidate or the approval of an issue to be placed on the ballot, through a period to not exceed seven (7) days after the election. Election campaign signs shall not be placed on public property, the public right-of-way, utility post, or trees. A permit, issued by the Town is required to use election campaign signs. Issuance of a permit shall allow campaign signs to be placed on any privately owned parcel in the Town and such signs shall not count against the total number of signs permitted for that parcel.

5. **Displays.** Temporary or permanent outdoor placement of inventory intended for immediate sale and used to advertise or promote the interests of any persons when placed in view of the general public, traveling along a public street right-of-way.

- a. In addition to a freestanding sign, a business may use a display with a valid sign permit. The display must be set ten feet back from the right-of-way with five foot side yard setbacks, and be no more than ten (10) feet in height. Multiple displays may be used provided that they conform to the required setbacks and height limitations.
- b. Displays that are not intended for immediate sale and/or do not meet the guidelines of this ordinance will be considered outdoor storage of inventory.
- c. Temporary Displays are displays that are only used during business operating hours. After business operating hours, temporary displays must be placed indoors or behind a solid six foot stockade fence. Temporary displays do not require a valid sign permit.
- d. Permanent Displays are defined as a display that is used during business hours as well as after business hours. Permanent displays may be accompanied, in lieu of the required fencing, by a ten (10) feet wide vegetative strip placed along the right-of-way. The vegetative strip must consist of one tree for every twenty (20) feet of road frontage. Shrubs at a ratio of 3:1 may replace required trees.
- e. There are no off-premise displays allowed except for vacant lots (no improvements). Off-premise displays must obtain a valid sign permit and shall be the only sign and/or improvement permitted on the vacant property.

7. **Temporary Signs.** During any one year period, a business may obtain a permit for a temporary sign structure.

- a. Temporary signs shall be freestanding banners or portable signs. Mobile signs shall not be classified as a temporary sign.
- b. The total permitted copy area of a temporary sign(s) is forty (40) square feet. Such temporary sign(s) shall be subject to the location requirements of freestanding signs as defined in Section 8-5. The maximum height is ten (10) feet.
- c. A temporary sign(s) may be displayed at various times, but the permit must state the start and end dates of the temporary signage, and not exceed 30 cumulative days in a year.
- d. The cost of a temporary sign permit shall be \$20.00 per year, and must be renewed before placement in consecutive years. In addition, the applicant must post a \$50.00 bond to insure compliance to the permit guidelines. Failure to comply with the temporary sign permit shall result in forfeiture of the full bond amount. After forfeiture of bond, if the applicant remains out of compliance, this will be a violation of the zoning ordinance and subject to action accordingly.

projection in no case shall exceed the length of projection of the marquee or canopy to which they are attached, and further provided that such signs may not extend more than twenty four (24) inches below nor more than four (4) feet above the marquee or canopy to which they are attached.

4. Height

a. Free Standing Signs. No part of any free standing sign or its supporting structure may exceed the following height:

- | | |
|------------------------|----------|
| 1) TD, C-1 | 15 feet; |
| 2) C-2, PD-C, M-1, M-2 | 30 feet. |

SECTION 8-9 - ADVERTISING SIGNS

Notwithstanding any other provisions of this ordinance:

1. Advertising Signs In TD and C-1 Districts Advertising signs are prohibited in TD and C-1 Districts.
2. No advertising sign shall be erected or attached to, suspended from or supported from or supported on a building or structure, nor shall any existing signs be enlarged, removed, relocated, or substantially repaired (over fifty (50%) percent of its existing value unless a building permit has been issued by the building inspector and is in compliance with all of the requirements governing advertising signs.
3. Advertising signs shall only be located on vacant property with no improvements.
4. All advertising signs must be in compliance with the appropriate detail provisions of the building code. The maximum display surface area of an advertising sign shall be:
 - a. C-2 M-1, M-2: five hundred (500) square feet
5. Advertising signs shall have only one sign face in any one direction. There shall be no side-by-side or double-decker advertising signs.
6. No advertising sign may be erected within the front yard setback.
7. No advertising sign shall be erected within one thousand (1,000) feet of any other advertising signs:
8. There shall be no advertising sign on the opposite side of the street for a distance of five hundred (500) feet measured from the spot directly opposite from an existing advertising sign.
9. There shall be no advertising signs mounted on the roof of any structure.
10. Under no circumstances shall the zoning board of appeals grant any variance to the sign provisions of this ordinance.

SECTION 8-5 - SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

Signs are permitted in the D-1, R-1, R-2, R-3, PD-R, MH-1, and MH-2 districts subject to the following regulations:

1. Signs For Which a Permit is Not Required Those signs excluded from regulation by Section 8.1-3 -4 are permitted
2. Sub-Division Entrance Signs and Private Directional Signs. As permitted in Section 8-5.
3. Group Residential Uses and Non-Residential Uses. Signs related to permitted group housing developments, mobile home parks, and permitted non-residential uses of a recreational, civic, charitable, fraternal, cultural, religious, educational, institutional, governmental, and service nature and not elsewhere regulated or specified, may be erected to the following provisions:
 - a. Size. Not to exceed twenty (20) square feet of display surface area per street frontage;
 - b. Location. Not to exceed one (1) sign per street frontage. If building mounted, those signs shall be flat wall signs;
 - c. Height. If building mounted, those signs shall not project above the roof line. If freestanding, those signs shall not exceed four (4) feet above ground. All vision clearance requirements must be observed, and;
 - d. Additional Signs Allowed. Entrance, exit and instructional signs, so long as they do not exceed four (4) square feet in area, are no higher than three (3) feet above the pavement or ground level, and contain no advertisement.

SECTION 8-6 - BUSINESS SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

Signs are permitted in the TD, C-1, C-2, PD-C, M-1, and M-2 districts subject to the following regulations:

1. Signs Permitted as in Residential Districts
2. Freestanding Signs: One for each 300 feet of road frontage. Each individual sign must not exceed the following dimensions.
 - 1) TD, C-1 50 square feet;
 - 2) C-2, PD-C, M-1, M-2 150 square feet.
 - a. Only one (1) side of a double-faced sign shall be considered in computing allowable display surface area. For the purposes of this ordinance, portable and mobile signs are considered free standing and detached signs;
 - b. In addition to a. above, one (1) portable sign shall be permitted for each street frontage.
3. Wall Signs (as provided in Section 8-5)
Signs on marquees or canopies projecting into a public right of way are subject to the provisions concerning awning signs in Section 8-5, except that the length of

SECTION 8-10 - NONCONFORMING SIGNS

Notwithstanding other provisions of this Ordinance, certain signs, after this Ordinance is enacted into law, shall be discontinued, and/or shall be torn down, altered or otherwise made to conform with this ordinance within the periods of time set forth below.

NON-CONFORMITIES	TO BE DISCONTINUED OR BROUGHT INTO COMPLIANCE WITHIN
(1) Portable Signs	Forty-five (45) days
(2) Mobile Signs and Signs related to uses that have gone out of business.	One hundred twenty (120) days
(3) Displays (except for vegetative requirement)	One hundred twenty (120) days

DONE AND DULY ORDAINED by the Municipal Council of the Town of Moncks Corner, in Council, duly assembled on the date hereinafter set forth.

PROPOSED ORDINANCE APPROVED AS TO FORM this 17TH day of July, 2001.

Robert E. Watson
Robert E. Watson, Town Attorney

FIRST READING

March 20, 2001

APPROVED AND RATIFIED AND ADOPTED on Second and Final Reading this 17th day of July, 2001 by a vote of:

James B. Harvey
Mayor
Mark J. Sullivan
Robert E. Watson
Laurence M. D...
Ernell F. Pollock
Martha Jo McElsteth
William E. ...

Attest:

Marilyn M. Baker
Marilyn M. Baker, Clerk

Robert E. Watson
Robert E. Watson, Town Attorney

ORDINANCE NO. 1999- 03

AN ORDINANCE TO AMEND PARAGRAPH 5, PAGE 85, OF THE ZONING ORDINANCE NO. 1994-03, AS IT RELATES TO HEIGHT OF FREE STANDING SIGNS.

BE IT ORDAINED AND ENACTED by the Governing Body of the Town of Moncks Corner in council duly assembled and by the authority of the same that:

Section 1. Paragraph 5, Page 85, of the Zoning Ordinance No. 1994-03, is amended by striking it out in its entirety and inserting in lieu thereof, the following:

a. Free Standing Signs. No part of any free standing sign or its supporting structure may exceed the following height:

- (1) TD, C-1 15 feet;
- (2) C-2, M-1, M-2 30 feet.

Section 2. TIME EFFECTIVE. This Ordinance shall take effect upon final reading and approval of Town Council.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED this 19th day of

January, 1999.

Lawrence B. Harvey
MAYOR

Lawrence M. Davis

Walter J. Sullivan

Joseph E. Myers
Martha Jo McBeth
William L. English
G. Euell Roberson

INTRODUCED BY: _____

FIRST READING: _____

December 15, 1998

SECOND READING: _____

January 19, 1999

ATTEST: _____

Wanda M. Baker
TOWN CLERK AND TREASURER

APPROVED AS TO FORM:

Robert E. Watson

TOWN ATTORNEY

MONCK'S CORNER, SOUTH CAROLINA

ARTICLE EIGHT REGULATION OF SIGNS

SECTION 8-1 - DEFINITIONS

In addition to the definitions set forth in Article Two of this ordinance the following definitions relate to signs:

1. **Display Surface Area.** That area of a sign including the entire area within a regular geometric shape or combination of regular geometric shapes enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information, or meaning. Frames or structural members not bearing informational or representational matter shall not be included in computation of display surface area. Only one (1) side of a double-faced sign shall be included in calculating the display surface area.
2. **Marquee.** A permanent roofed structure attached to and supported by a building.
3. **Sign.** Any device designed to inform or attract the attention of persons not on the premises on which the device is located, including signs defined below as mobile signs and portable signs, provided however, that the following shall not be included in the application of the regulations herein:
 - a. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
 - b. Flags and insignia of any government except when displayed in connection with commercial promotion.
 - c. Legal notices, identification, information, or directional signs erected or required by governmental bodies.
 - d. Integral decorative or architectural features of buildings except letters, trademarks, moving parts, or moving lights.
 - e. Signs directing and guiding traffic on private property, but bearing no advertising matter.
4. **Sign, Advertising.** Any sign which relates in its subject matter to products, accommodations, services, or activities sold or offered elsewhere than upon the premises on which the sign is located. Mobile signs and portable signs may be advertising signs, and

advertising signs include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.

5. Sign, Business. Any sign which relates in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities offered, sold or engaged in on the premises. Mobile signs and portable signs may be business signs, but billboards or advertising signs as defined in subsection 4 above, are not business signs.

6. Sign Copy. All words, letters, numbers, figures, characters, art works, symbols, or insignia that are used on a display surface area.

7. Sign, Freestanding. A sign which is permanently affixed to the ground and which is not a part of a building or other structure.

8. Sign, Mobile. A sign which may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a "portable sign" in that it may be equipped for transporting by motor vehicle or other mechanical means and including signs referred to as trailer signs. Those signs may be considered as either business signs or advertising signs according to their utilization. Any mobile sign used on the same lot for more than 45 days per year will be considered a freestanding sign.

9. Sign, Portable. A sign which is movable by a person without aid of a motor vehicle or other mechanical equipment. Those signs may be considered as either business signs or advertising signs, according to their utilization.

10. Sign, Projecting. Any sign, other than a "wall sign," which projects from and is supported by a building.

11. Sign, Wall. Any sign attached flat and parallel to the exterior wall or surface of a building or other structure and which projects not more than twelve (12) inches from that wall or surface.

SECTION 8-2 - GENERAL PROVISIONS

1. Signs in Required Front Yard Setbacks. Signs may be located within required front yard setbacks, provided that those signs do not obstruct vision within the required front yard setback between a height of four (4) feet and a height of eight (8) feet measured vertically from the finished ground level at the location of the sign's supporting structure, and further provided that signs erected in required front yard setbacks shall not be erected in a manner which materially impedes visibility of moving automobiles or visibility from moving automobiles on or off the premises or visibility of pedestrians on or off the premises.

2. Condition. All signs shall be maintained in sound structural condition. No sign shall be allowed to deteriorate to a condition in which it is unsightly in appearance or to a condition in which it requires repairs or renovations in an amount which exceeds seventy-five (75) percent of its current replacement cost. Signs which deteriorate to such a condition are deemed to be in violation of this ordinance and as such, must be either removed or improved, or the person responsible for maintaining the sign shall be subject to the penalties hereinafter provided for the violation of this ordinance.

SECTION 8-3 - PROHIBITED SIGNS

1. Signs Imitating Traffic or Emergency Signals. No sign shall be permitted which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights or resembling the color, size, shape or order of lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles, except as a part of a permitted private or public traffic control sign.

2. Signs Employing Confusing, Distracting, or Intense Illumination. No sign shall be permitted which utilizes flashing (strobe type) lights, flashing or blinking lights, any type of pulsating or moving light which may impair the vision, or confuse, distract, or unduly divert the attention of drivers of vehicles. The use of chaser lights utilizing individual light bulbs rated at 15 watts or less, or the use of neon tubing having pulsating or flashing characteristics is permitted, provided that the lighted portion of the sign is not less than ten (10) feet above the finished ground level and not less than twenty-five (25) feet from any property line, measured at ground level nearest the lighted portion of a sign.

3. Signs Employing Confusing Motion. No sign shall be permitted which moves or presents the illusion of movement in any manner which may confuse, distract, or unduly divert the attention of drivers of vehicles.

4. Sign Lighting Which is Incompatible With Residential Character. No sign shall be illuminated in such a way that it casts illumination onto any residential premises located in any residential district in a manner which by intensity, duration, location or other characteristic is incompatible with the residential character of the district into which the illumination is cast.

SECTION 8-4 - TEMPORARY SIGNS PERMITTED IN ANY DISTRICT

Non-illuminated temporary signs may be erected in any district in addition to signs permitted otherwise subject to the following provisions:

1. Temporary Subdivision Signs. Temporary signs announcing a land subdivision development may be erected on the premises of the land subdivision, provided that those signs

SECTION 11-5 - APPLICATION PROCEDURES.

1. Application for amendments shall be submitted in writing to the zoning administrator;
2. Application for amendment must be submitted, in proper form, at least two (2) weeks prior to a planning commission meeting in order to be heard at the meeting.

All proposed amendments and any supporting material shall be submitted to the planning commission for study and recommendation. The planning commission shall study such proposals to determine:

- a. The need and justification for the change;
- b. When pertaining to a change in the district classification of the property, the effect of the change, if any, on the property and on surrounding neighborhoods;
- c. When pertaining to a change in the district classifications of property, the amount of land in the general area and in the city having the same district classification as that requested; and
- d. The relationship of the proposed amendment to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this ordinance and the comprehensive plan.

SECTION 11-6 - PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL.

Within thirty (30) days from the date that any proposed zoning amendment is referred to it, the planning commission shall submit its report and recommendation to city council. The recommendation of the planning commission shall be advisory only. If the planning commission does not submit its report within the prescribed time, the city council may proceed to act on the amendment without further awaiting the recommendations of the planning commission.

SECTION 11-7 - ZONING PUBLIC HEARING. - See Attached Amendment Ord 110-2001-26

After receipt of the planning commission recommendation or after the expiration of the thirty (30) day time limit for a recommendation, the city council will schedule a public hearing on zoning amendments.

1. Notice of Public Hearing in Newspaper.

COPY

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE
OF THE TOWN OF MONCK'S CORNER

SECTION 11-7 - Zoning Public Hearing

DONE AND DULY ORDAINED by the Municipal Council of the Town of Moncks Corner, in Council, duly assembled on the date hereinafter set forth.

Robert E. Watson, Town Attorney

March 20, 2001

James B. Harvey
 Mayor
 William C. Rogers
 C. E. Robinson
 Joseph E. Myers
 Lawrence M. Smith
 Hans J. Sullivan
 Martha Jo McElhiney

Marilyn M. Baker
Marilyn M. Baker, Clerk

Robert E. Watson
Robert E. Watson, Town Attorney

a. In scheduling a public hearing for proposed zoning map and text amendments, the city council shall publish a notice at least fifteen (15) days prior to the public hearing in a newspaper of general circulation in the city.

2. Posting of Property. When a proposed amendment deals with the district classification of particular pieces of property, the zoning administrator shall cause to be conspicuously located on or adjacent to the property affected, one (1) hearing notice for every street frontage. Such notice shall be posted at least fifteen (15) days prior to the hearing and shall indicate the nature of the change proposed, identification of the property affected, and time, date and place of the hearing.

SECTION 11-8 - RECONSIDERATION OF PROPOSED AMENDMENTS

The city council shall not reconsider a proposed amendment that has been denied for a period of one (1) year unless the planning commission recommends to the city council that the reconsideration be given, after the planning commission has found that either (1) there has been a substantial change in the character of the area or (2) evidence or factors or conditions exist which were not considered by the planning commission or the city council in previous deliberations which might substantially alter the basis upon which the previous determination was reached.

ARTICLE TWELVE LEGAL STATUS

SECTION 12-1 - INTERPRETATION AND VALIDITY.

Should any section or provision of this ordinance or application of a provision under this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the ordinance as a whole or any part thereof, other than the part or application so declared to be unconstitutional or invalid.

SECTION 12-2 - REPEAL OF PREVIOUS ZONING ORDINANCE.

The Zoning Ordinance of the City of Moncks Corner, South Carolina adopted _____, together with all subsequent amendments thereto, is hereby repealed as of the effective date of this ordinance.

SECTION 12-3 - EFFECTIVE DATE.

The ordinance shall be in full force and effect from and after FEB 15, 1994.

ORDINANCE NO. 2002- 14

AN ORDINANCE TO RECLASSIFY IMPROVED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF MONCKS CORNER LOCATED HIGHWAY 52. (TMS#123-00-01-030) FROM A ZONING CLASSIFICATION OF INTERIM PD-R, TO PD-C, AND TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF MONCKS CORNER TO SO REFLECT.

WHEREAS, a request has been presented to the Moncks Corner Town Council by the current record title holder of a lot of land located at Highway 52 (TMS#123-00-01-030), Moncks Corner, South Carolina, to reclassify this property from its current classification of Interim PD-R, to PD-C. This property is designated on the Tax Map Records of Berkeley County, South Carolina, as TMS#123-00-01-030, as shown on attached tax map and made a part and parcel of this ordinance; and

WHEREAS, it is necessary and desirable to reclassify said property from Interim PD-R, to PD-C; and

WHEREAS, the hereinafter described properties are contemplated for use by its owners as a planned development district with office, limited retail and multi-family uses; and

WHEREAS, after due consideration of the Planning Commission and by the Moncks Corner Town Council to reclassify said property to the appropriate zoning classification of PD-C;

NOW THEREFORE, BE IT ORDAINED by the governing body of the Town of Moncks Corner in meeting duly assembled this 16 day of July 2002, that the Zoning Classification pertaining to the parcel of land located at Highway 52 (TMS#123-00-01-030) owned by Cohen's Drywall, within the corporate limits of the Town of Moncks Corner, South Carolina, be, and the same hereby is reclassified from its current classification of Interim PD-R, to PD-C. A copy of the tax map of this lot is attached hereto and made a part and parcel of this ordinance.

BE IT FURTHER ORDAINED that the official zoning map of the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED this 16 day of July 2002.

TOWN C. MONCK'S CORNER

ORDINANCE NO. 2001-06

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE
OF THE TOWN OF MONCK'S CORNER

BE IT ENACTED by the Governing Body of the Town of Moncks Corner and Council duly assembled and by the authority of same that the Official Zoning Ordinance of the Town of Moncks Corner is herein amended by changing Section 11-7 to read as follows:

SECTION 11-7 - Zoning Public Hearing

During the hearing of the amendment by the Planning Commission, a public hearing must also be administered under the following guidelines. The Town Council will hold a public hearing, administered under the same guidelines, after the results of the Planning Commission public hearing and the recommendation of the Planning Commission are forwarded, or after the thirty (30) day time limit.

DONE AND DULY ORDAINED by the Municipal Council of the Town of Moncks Corner, in Council, duly assembled on the date hereinafter set forth.

PROPOSED ORDINANCE APPROVED AS TO FORM this 17th day of April, 2001.

Robert E. Watson, Town Attorney

FIRST READING

March 20, 2001

APPROVED AND RATIFIED AND ADOPTED on Second and Final Reading
this 17th day of April, 2001 by a vote of:

James B. Harvey
 Mayor
 William L. Taylor
 R. Egell Roberson
 Joseph E. Myers
 Lawrence M. Jones
 Hans J. Sullivan
 Martha Jo McElhiney

Attest:

Marilyn M. Baker
Marilyn M. Baker, Clerk

Robert E. Watson
Robert E. Watson, Town Attorney

ORDINANCE NO. 2002-14

AN ORDINANCE TO RECLASSIFY IMPROVED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF MONCK'S CORNER LOCATED HIGHWAY 52. (TMS#123-00-01-030) FROM A ZONING CLASSIFICATION OF INTERIM PD-R, TO PD-C, AND TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF MONCK'S CORNER TO SO REFLECT.

WHEREAS, a request has been presented to the Moncks Corner Town Council by the current record title holder of a lot of land located at Highway 52 (TMS#123-00-01-030), Moncks Corner, South Carolina, to reclassify this property from its current classification of Interim PD-R, to PD-C. This property is designated on the Tax Map Records of Berkeley County, South Carolina, as TMS#123-00-01-030, as shown on attached tax map and made a part and parcel of this ordinance; and

WHEREAS, it is necessary and desirable to reclassify said property from Interim PD-R, to PD-C; and

WHEREAS, the hereinafter described properties are contemplated for use by its owners as a planned development district with office, limited retail and multi-family uses; and

WHEREAS, after due consideration of the Planning Commission and by the Moncks Corner Town Council to reclassify said property to the appropriate zoning classification of PD-C;

NOW THEREFORE, BE IT ORDAINED by the governing body of the Town of Moncks Corner in meeting duly assembled this 16 day of July 2002, that the Zoning Classification pertaining to the parcel of land located at Highway 52 (TMS#123-00-01-030) owned by Cohen's Drywall, within the corporate limits of the Town of Moncks Corner, South Carolina, be, and the same hereby is reclassified from its current classification of Interim PD-R, to PD-C. A copy of the tax map of this lot is attached hereto and made a part and parcel of this ordinance.

BE IT FURTHER ORDAINED that the official zoning map of the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

AND IT IS SO ORDAINED.

DONE IN COUNCIL ASSEMBLED this 16 day of July 2002.

2002-14

Ordinance 2002- 14 (Continued)

FIRST READING:

April 16, 2002

SECOND READING:

July 16, 2002

ATTEST:

Margaret Baker
TOWN CLERK AND TREASURER

APPROVED AS TO FORM:

Robert E. Watson
TOWN ATTORNEY
MONCK'S CORNER, SOUTH CAROLINA

James B. Sherry
MAYOR

COUNCIL:

Martha Jo McWhorter
C. Euell Ridenour
Joseph E. Myer
David R. King
Lawrence M. Dean

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